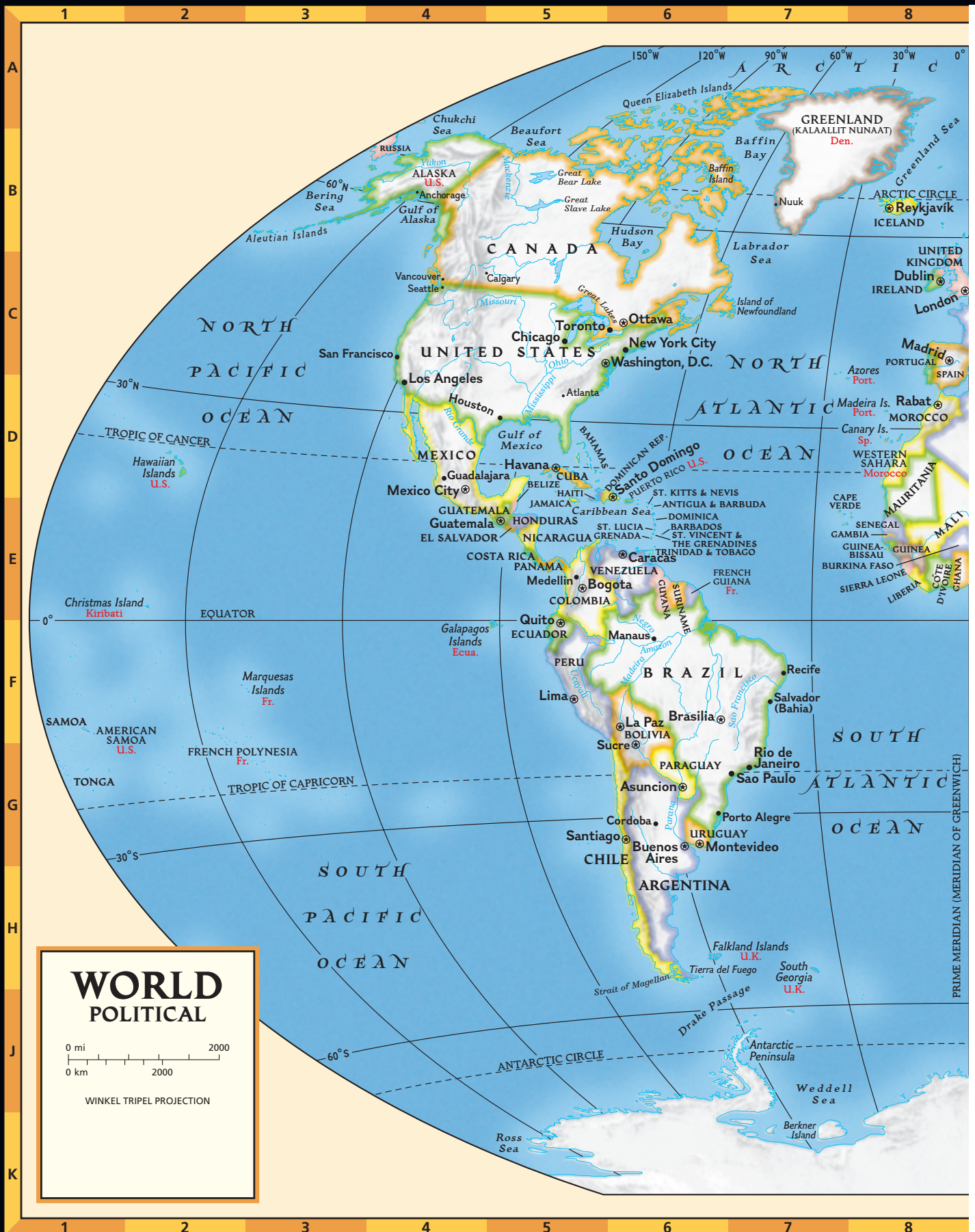


Reference *Handbook*

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Presidents of the United States

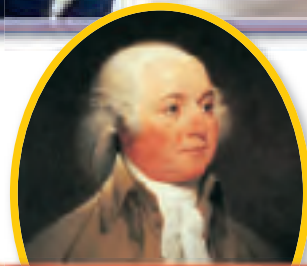
In this resource you will find portraits of the individuals who served as presidents of the United States, along with their occupations, political party affiliations, and other interesting facts.

**The Republican Party during this period developed into today's Democratic Party. Today's Republican Party originated in 1854.



1 George Washington

Presidential term: 1789–1797
Lived: 1732–1799
Born in: Virginia
Elected from: Virginia
Occupations: Soldier, Planter
Party: None
Vice President: John Adams



2 John Adams

Presidential term: 1797–1801
Lived: 1735–1826
Born in: Massachusetts
Elected from: Massachusetts
Occupations: Teacher, Lawyer
Party: Federalist
Vice President: Thomas Jefferson



3 Thomas Jefferson

Presidential term: 1801–1809
Lived: 1743–1826
Born in: Virginia
Elected from: Virginia
Occupations: Planter, Lawyer
Party: Republican**
Vice Presidents: Aaron Burr, George Clinton



4 James Madison

Presidential term: 1809–1817
Lived: 1751–1836
Born in: Virginia
Elected from: Virginia
Occupation: Planter
Party: Republican**
Vice Presidents: George Clinton, Elbridge Gerry



5 James Monroe

Presidential term: 1817–1825
Lived: 1758–1831
Born in: Virginia
Elected from: Virginia
Occupation: Lawyer
Party: Republican**
Vice President: Daniel D. Tompkins



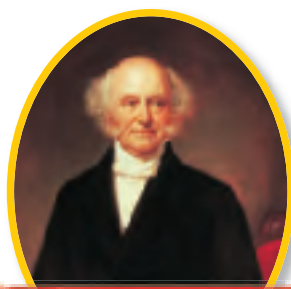
6 John Quincy Adams

Presidential term: 1825–1829
Lived: 1767–1848
Born in: Massachusetts
Elected from: Massachusetts
Occupation: Lawyer
Party: Republican**
Vice President: John C. Calhoun



7 Andrew Jackson

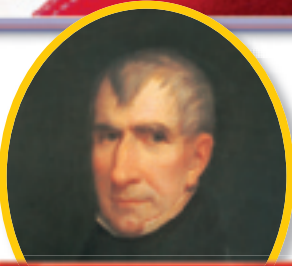
Presidential term: 1829–1837
Lived: 1767–1845
Born in: South Carolina
Elected from: Tennessee
Occupations: Lawyer, Soldier
Party: Democratic
Vice Presidents: John C. Calhoun, Martin Van Buren



8 Martin Van Buren

Presidential term: 1837–1841
Lived: 1782–1862
Born in: New York
Elected from: New York
Occupation: Lawyer
Party: Democratic
Vice President: Richard M. Johnson

Presidents of the United States



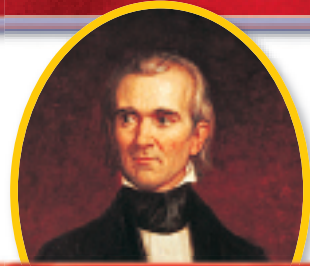
9 William H. Harrison

Presidential term: 1841
Lived: 1773–1841
Born in: Virginia
Elected from: Ohio
Occupations: Soldier,
Planter
Party: Whig
Vice President: John Tyler



10 John Tyler

Presidential term: 1841–1845
Lived: 1790–1862
Born in: Virginia
Elected as V.P. from: Virginia,
Succeeded Harrison
Occupation: Lawyer
Party: Whig
Vice President: None



11 James K. Polk

Presidential term: 1845–1849
Lived: 1795–1849
Born in: North Carolina
Elected from: Tennessee
Occupation: Lawyer
Party: Democratic
Vice President: George M.
Dallas



12 Zachary Taylor

Presidential term: 1849–1850
Lived: 1784–1850
Born in: Virginia
Elected from: Louisiana
Occupation: Soldier
Party: Whig
Vice President: Millard
Fillmore



13 Millard Fillmore

Presidential term: 1850–1853
Lived: 1800–1874
Born in: New York
Elected as V.P. from: New York,
Succeeded Taylor
Occupation: Lawyer
Party: Whig
Vice President: None



14 Franklin Pierce

Presidential term: 1853–1857
Lived: 1804–1869
Born in: New Hampshire
Elected from: New Hampshire
Occupation: Lawyer
Party: Democratic
Vice President: William R. King



15 James Buchanan

Presidential term: 1857–1861
Lived: 1791–1868
Born in: Pennsylvania
Elected from: Pennsylvania
Occupation: Lawyer
Party: Democratic
Vice President: John C.
Breckinridge



16 Abraham Lincoln

Presidential term: 1861–1865
Lived: 1809–1865
Born in: Kentucky
Elected from: Illinois
Occupation: Lawyer
Party: Republican
Vice Presidents: Hannibal
Hamlin, Andrew Johnson



17 Andrew Johnson

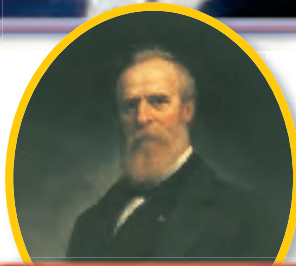
Presidential term: 1865–1869
Lived: 1808–1875
Born in: North Carolina
Elected as V.P. from: Tennessee,
Succeeded Lincoln
Occupation: Tailor
Party: Democratic; National Unionist
Vice President: None

Presidents of the United States



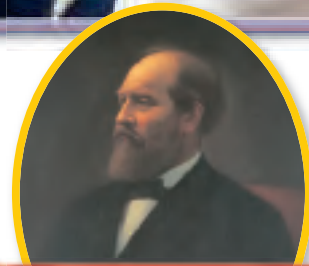
18 Ulysses S. Grant

Presidential term: 1869–1877
Lived: 1822–1885
Born in: Ohio
Elected from: Illinois
Occupations: Farmer, Soldier
Party: Republican
Vice Presidents: Schuyler Colfax, Henry Wilson



19 Rutherford B. Hayes

Presidential term: 1877–1881
Lived: 1822–1893
Born in: Ohio
Elected from: Ohio
Occupation: Lawyer
Party: Republican
Vice President: William A. Wheeler



20 James A. Garfield

Presidential term: 1881
Lived: 1831–1881
Born in: Ohio
Elected from: Ohio
Occupations: Laborer, Professor
Party: Republican
Vice President: Chester A. Arthur



21 Chester A. Arthur

Presidential term: 1881–1885
Lived: 1830–1886
Born in: Vermont
Elected as V.P. from: New York, Succeeded Garfield
Occupations: Teacher, Lawyer
Party: Republican
Vice President: None



22 Grover Cleveland

Presidential term: 1885–1889
Lived: 1837–1908
Born in: New Jersey
Elected from: New York
Occupation: Lawyer
Party: Democratic
Vice President: Thomas A. Hendricks



23 Benjamin Harrison

Presidential term: 1889–1893
Lived: 1833–1901
Born in: Ohio
Elected from: Indiana
Occupation: Lawyer
Party: Republican
Vice President: Levi P. Morton



24 Grover Cleveland

Presidential term: 1893–1897
Lived: 1837–1908
Born in: New Jersey
Elected from: New York
Occupation: Lawyer
Party: Democratic
Vice President: Adlai E. Stevenson



25 William McKinley

Presidential term: 1897–1901
Lived: 1843–1901
Born in: Ohio
Elected from: Ohio
Occupations: Teacher, Lawyer
Party: Republican
Vice Presidents: Garret Hobart, Theodore Roosevelt



26 Theodore Roosevelt

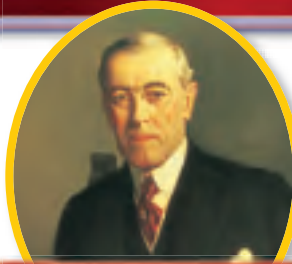
Presidential term: 1901–1909
Lived: 1858–1919
Born in: New York
Elected as V.P. from: New York, Succeeded McKinley
Occupations: Historian, Rancher
Party: Republican
Vice President: Charles W. Fairbanks

Presidents of the United States



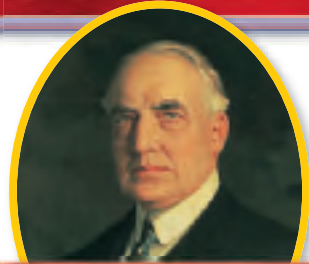
27 William H. Taft

Presidential term: 1909–1913
Lived: 1857–1930
Born in: Ohio
Elected from: Ohio
Occupation: Lawyer
Party: Republican
Vice President: James S. Sherman



28 Woodrow Wilson

Presidential term: 1913–1921
Lived: 1856–1924
Born in: Virginia
Elected from: New Jersey
Occupation: College Professor
Party: Democratic
Vice President: Thomas R. Marshall



29 Warren G. Harding

Presidential term: 1921–1923
Lived: 1865–1923
Born in: Ohio
Elected from: Ohio
Occupations: Newspaper Editor, Publisher
Party: Republican
Vice President: Calvin Coolidge



30 Calvin Coolidge

Presidential term: 1923–1929
Lived: 1872–1933
Born in: Vermont
Elected as V.P. from: Massachusetts, Succeeded Harding
Occupation: Lawyer
Party: Republican
Vice President: Charles G. Dawes



31 Herbert C. Hoover

Presidential term: 1929–1933
Lived: 1874–1964
Born in: Iowa
Elected from: California
Occupation: Engineer
Party: Republican
Vice President: Charles Curtis



32 Franklin D. Roosevelt

Presidential term: 1933–1945
Lived: 1882–1945
Born in: New York
Elected from: New York
Occupation: Lawyer
Party: Democratic
Vice Presidents: John N. Garner, Henry A. Wallace, Harry S. Truman



33 Harry S. Truman

Presidential term: 1945–1953
Lived: 1884–1972
Born in: Missouri
Elected as V.P. from: Missouri, Succeeded Roosevelt
Occupations: Clerk, Farmer
Party: Democratic
Vice President: Alben W. Barkley



34 Dwight D. Eisenhower

Presidential term: 1953–1961
Lived: 1890–1969
Born in: Texas
Elected from: New York
Occupation: Soldier
Party: Republican
Vice President: Richard M. Nixon



35 John F. Kennedy

Presidential term: 1961–1963
Lived: 1917–1963
Born in: Massachusetts
Elected from: Massachusetts
Occupations: Author, Reporter
Party: Democratic
Vice President: Lyndon B. Johnson

Presidents of the United States



36 Lyndon B. Johnson

Presidential term: 1963–1969
Lived: 1908–1973
Born in: Texas
Elected as V.P. from: Texas,
 Succeeded Kennedy
Occupation: Teacher
Party: Democratic
Vice President: Hubert H.
 Humphrey



37 Richard M. Nixon

Presidential term: 1969–1974
Lived: 1913–1994
Born in: California
Elected from: New York
Occupation: Lawyer
Party: Republican
Vice Presidents: Spiro T. Agnew,
 Gerald R. Ford



38 Gerald R. Ford

Presidential term: 1974–1977
Lived: 1913–2006
Born in: Nebraska
 Appointed as V.P. upon Agnew's
 resignation; succeeded Nixon
Occupation: Lawyer
Party: Republican
Vice President: Nelson A.
 Rockefeller



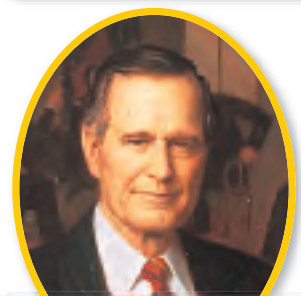
39 James E. Carter, Jr.

Presidential term: 1977–1981
Lived: 1924–
Born in: Georgia
Elected from: Georgia
Occupations: Business, Farmer
Party: Democratic
Vice President: Walter F.
 Mondale



40 Ronald W. Reagan

Presidential term: 1981–1989
Lived: 1911–2004
Born in: Illinois
Elected from: California
Occupations: Actor, Lecturer
Party: Republican
Vice President: George H.W.
 Bush



41 George H.W. Bush

Presidential term: 1989–1993
Lived: 1924–
Born in: Massachusetts
Elected from: Texas
Occupation: Business
Party: Republican
Vice President: J. Danforth
 Quayle



42 William J. Clinton

Presidential term: 1993–2001
Lived: 1946–
Born in: Arkansas
Elected from: Arkansas
Occupation: Lawyer
Party: Democratic
Vice President: Albert Gore, Jr.



43 George W. Bush

Presidential term: 2001–2009
Lived: 1946–
Born in: Connecticut
Elected from: Texas
Occupation: Business
Party: Republican
Vice President: Richard B.
 Cheney



44 Barack Obama

Presidential term: 2009–
Lived: 1961–
Born in: Hawaii
Elected from: Illinois
Occupation: Lawyer
Party: Democratic
Vice President: Joseph R.
 Biden, Jr.

Leaders of Government

Chief Justices of the United States

Name and Years of Service	State From Which Appointed	President by Whom Appointed
John Jay (1789–1795)	NY	Washington
John Rutledge (1795)*	SC	Washington
Oliver Ellsworth (1796–1800)	CT	Washington
John Marshall (1801–1835)	VA	John Adams
Roger B. Taney (1836–1864)	MD	Jackson
Salmon P. Chase (1864–1873)	OH	Lincoln
Morrison R. Waite (1874–1888)	OH	Grant
Melville W. Fuller (1888–1910)	IL	Cleveland
Edward D. White (1910–1921)	LA	Taft
William Howard Taft (1921–1930)	CT	Harding
Charles Evans Hughes (1930–1941)	NY	Hoover
Harlan F. Stone (1941–1946)	NY	F.D. Roosevelt
Fred M. Vinson (1946–1953)	KY	Truman
Earl Warren (1953–1969)	CA	Eisenhower
Warren E. Burger (1969–1986)	D.C.	Nixon
William H. Rehnquist (1986–)	AZ	Reagan
John C. Roberts, Jr. (2005–)	D.C.	Bush

* Rutledge was appointed Chief Justice on July 1, 1795, while Congress was not in session. He presided over the August 1795 term of the Supreme Court, but the Senate rejected his appointment on December 15, 1795.

Senate Majority Leaders

Congress	Years	Leader
63rd–64th	1913–17	John W. Kern, D-IN
65th	1917–19	Thomas S. Martin, D-VA
66th–67th	1919–24	Henry Cabot Lodge, R-MA
68th–70th	1924–29	Charles Curtis, R-KS
71st–72nd	1929–33	James E. Watson, R-IN
73rd–75th	1933–37	Joseph T. Robinson, D-AR
75th–79th	1937–47	Alben W. Barkley, D-KY
80th	1947–49	Wallace H. White, Jr., R-ME
81st	1949–51	Scott W. Lucas, D-IL
82nd	1951–53	Ernest W. McFarland, D-AZ
83rd	1953–55	Robert A. Taft, R-OH William F. Knowland, R-CA
84th–86th	1955–61	Lyndon B. Johnson, D-TX
87th–94th	1961–77	Mike Mansfield, D-MT
95th–96th	1977–81	Robert C. Byrd, D-WV
97th–98th	1981–85	Howard H. Baker, Jr., R-TN
99th	1985–87	Robert Dole, R-KS
100th	1987–89	Robert C. Byrd, D-WV
101st–103rd	1989–95	George J. Mitchell, D-ME
104th	1995–96	Robert Dole, R-KS
104th–107th	1996–01	Trent Lott, R-MS
107th	2001–03	Tom Daschle, D-SD
108th–109th	2003–07	William H. Frist, R-TN
110th–112th	2007–	Harry Reid, D-NV

Speakers of the House of Representatives

Congress	Years	Speaker	Congress	Years	Speaker
1st	1789–91	Frederick A.C. Muhlenberg, F-PA	41st–43rd	1869–75	James G. Blaine, R-ME
2nd	1791–93	Jonathan Trumbull, F-CT	44th	1875–76	Michael C. Kerr, D-IN
3rd	1793–95	Frederick A.C. Muhlenberg, F-PA	44th–46th	1876–81	Samuel J. Randall, D-PA
4th–5th	1795–99	Jonathan Dayton, F-NJ	47th	1881–83	Joseph Warren Keifer, R-OH
6th	1799–1801	Theodore Sedgwick, F-MA	48th–50th	1883–89	John G. Carlisle, D-KY
7th–9th	1801–07	Nathaniel Macon, D-NC	51st	1889–91	Thomas Brackett Reed, R-ME
10th–11th	1807–11	Joseph B. Varnum, D-MA	52nd–53rd	1891–95	Charles F. Crisp, D-GA
12th–13th	1811–14	Henry Clay, R-KY	54th–55th	1895–99	Thomas Brackett Reed, R-ME
13th	1814–15	Langdon Cheves, D-SC	56th–57th	1899–1903	David B. Henderson, R-IA
14th–16th	1815–20	Henry Clay, R-KY	58th–61st	1903–11	Joseph G. Cannon, R-IL
16th	1820–21	John W. Taylor, D-NY	62nd–65th	1911–19	James B. Clark, D-MO
17th	1821–23	Philip P. Barbour, D-VA	66th–68th	1919–25	Frederick H. Gillet, R-MA
18th	1823–25	Henry Clay, R-KY	69th–71st	1925–31	Nicholas Longworth, R-OH
19th	1825–27	John W. Taylor, D-NY	72nd	1931–33	John Nance Garner, D-TX
20th–23rd	1827–34	Andrew Stevenson, D-VA	73rd	1933–34	Henry T. Rainey, D-IL*
23rd	1834–35	John Bell, W-TN	74th	1935–36	Joseph W. Byrns, D-TN
24th–25th	1835–39	James K. Polk, D-TN	74th–76th	1936–40	William B. Bankhead, D-AL
26th	1839–41	Robert M.T. Hunter, D-VA	76th–79th	1940–47	Sam Rayburn, D-TX
27th	1841–43	John White, W-KY	80th	1947–49	Joseph W. Martin, Jr., R-MA
28th	1843–45	John W. Jones, D-VA	81st–82nd	1949–53	Sam Rayburn, D-TX
29th	1845–47	John W. Davis, D-IN	83rd	1953–55	Joseph W. Martin, Jr., R-MA
30th	1847–49	Robert C. Winthrop, W-MA	84th–87th	1955–61	Sam Rayburn, D-TX
31st	1849–51	Howell Cobb, D-GA	87th–91st	1962–71	John W. McCormack, D-MA
32nd–33rd	1851–55	Linn Boyd, D-KY	92nd–94th	1971–77	Carl B. Albert, D-OK
34th	1855–57	Nathaniel P. Banks, R-MA	95th–99th	1977–87	Thomas P. O'Neill, Jr., D-MA
35th	1857–59	James L. Orr, D-SC	100th–101st	1987–89	Jim C. Wright Jr., D-TX**
36th	1859–61	William Pennington, R-NJ	101st–103rd	1989–95	Thomas S. Foley, D-WA
37th	1861–63	Galusha A. Grow, R-PA	104th–105th	1995–99	Newt Gingrich, R-GA
38th–40th	1863–68	Schuyler Colfax, R-IN	106th–109th	1999–07	J. Dennis Hastert, R-IL
40th	1868–69	Theodore M. Pomeroy, R-NY	110th–111th	2007–2011	Nancy Pelosi, D-CA
			112th	2011–	John Boehner, R-OH

Party abbreviations: (D) Democrat, (F) Federalist, (R) Republican, (W) Whig

Skills Handbook

Table of Contents

Critical Thinking Skills

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Making Generalizations	R20
Evaluating Information	R21
Distinguishing Fact from Opinion	R22

◀ The Jefferson Memorial,
Washington, D.C.

Identifying the Main Idea

Why Learn This Skill?

Finding the main idea will help you see the “big picture.” Organizing the information in front of you will help you determine the most important concepts.

Learning the Skill

When you read the excerpt below, follow the numbered steps to learn how to identify the main idea.

1. Skim the material to identify its general subject. Look at headings or recurring words to help you.

“The basis of a democratic state is liberty; which, according to the common opinion of men, can only be enjoyed in such a state:—this they affirm to be the great end of every democracy. One principle of liberty is for all to rule and be ruled in turn . . . whence it follows that the majority must be supreme, and that whatever the majority approve must be the end and the just. Every citizen, it is said, must have equality, and therefore in a democracy the poor have more power than the rich, because there are more of them.”

—Aristotle, *Politics*, 350 B.C.

3. Notice any details that support a larger idea or issue.

2. Determine the source and time frame for the passage.

4. Identify the central issue. Ask: Which sentence or phrase comes closest to capturing the main idea?

As you read, ask yourself what the author’s goal was in writing the passage.

Practicing the Skill

1. Where did this passage appear?
2. What is the main topic or subject of the passage?
3. What details support the main idea?
4. Which part of the selection conveys the main idea best?

Applying the Skill

Bring to class an article about American government from the Internet or a passage from a library book on the subject. Identify the main idea and explain how you know that.

Determining Cause and Effect

Why Learn This Skill?

Determining cause and effect involves considering how or why an event occurred. A cause is the action or situation that leads to an event. An effect is the result or consequence of an action or a situation.

Learning the Skill

To identify cause-and-effect relationships, follow these steps:

1. Identify two or more events or developments.

4. Look for logical connections between events or developments as in: "She overslept so she missed her bus."

Over the decades, government agencies have tended to multiply. Today a significant feature of all government levels is that there are a large number of agencies to administer programs and provide services. . . . Administrative law spells out their authority and procedures.

During the 1930s, when the nation suffered the Great Depression, many new federal agencies were created in an effort to provide American citizens with basic security and health and unemployment insurance. Since then, administrative agencies have made a significant portion of our laws.

2. Decide whether one of the two events or developments caused the other. To help you do so, look for "clue words" like *because, led to, brought about, so that, since, and as a result*.

3. Identify the outcome or outcomes of an event. Remember that some effects have more than one cause and some causes lead to more than one effect. Also an effect can become the cause of yet another effect.

Practicing the Skill

Categorize the items below as *cause, effect, both, or neither*.

1. Over the decades, government agencies have tended to multiply.
2. During the 1930s, when the nation suffered the Great Depression, many new federal agencies were created in an effort to provide American citizens with basic security and health and unemployment insurance.
3. Today a significant feature of all government levels is that there are a large number of agencies to administer programs and provide services.

Applying the Skill

In a newspaper, read an article describing a current event. Determine at least one cause and one effect of that event and complete a flowchart like the one below.



Analyzing Information

Why Learn This Skill?

The ability to analyze information is important in deciding what you think about a subject. For example, you need to weigh the benefits of social services versus the benefits of small government to decide where you stand on the issue of Social Security.

Learning the Skill

To analyze information, use the following steps:

*The great **debate over ratification** quickly divided the people in the states. . . . One group, known as the Federalists, favored the Constitution and was led by many of the Founders. . . . The other group, called the Anti-Federalists, opposed the new Constitution. . . .*

***The Anti-Federalists' strongest argument,** however, was that the Constitution lacked a Bill of Rights. . . . Anti-Federalists warned that without a Bill of Rights, a strong national government might take away the human rights won in the Revolution.*

***The Federalists, on the other hand, argued** that without a strong national government, anarchy or political disorder would triumph. . . . They also claimed that a Bill of Rights was not needed since eight states already had such bills in their state constitutions.*

1. Identify the topic being discussed.

2. Examine how the information is organized. What are the main points?

3. Summarize the information in your own words, and then make a statement of your own based on your understanding of the passage.

Practicing the Skill

After reading the excerpt, answer the following questions:

1. What topic is being discussed?
2. What are the writer's main points?
3. Based on how the excerpt is developing and on what you already know, predict how the author will conclude the discussion of this topic.

Applying the Skill

Select an issue that is in the news, such as oil prices or climate change. Read an article or watch a news segment on the issue. Then analyze the information and make a brief statement of your own about the topic. Explain your thinking.

Synthesizing Information

Why Learn This Skill?

Synthesizing information involves combining information from two or more sources. Each source may shed new light on other information.

Learning the Skill

Follow these steps to learn how to synthesize information. Then answer the questions that follow.

Source A

... The main job of [the European] Parliament is to pass European laws. It shares this responsibility with the Council of the European Union, and the proposals for new laws come from the European Commission. ... Members of the European Parliament (MEPs) do not sit in national blocks, but in seven Europe-wide political groups. The largest of these are the centre-right European People's Party (Christian Democrats), followed by the Socialists, the Liberals and the Greens. Between them, MEPs represent all views on European integration, from the strongly pro-federalist to the openly Eurosceptic.

—European Union online

1. Analyze each source separately to understand its meaning.

Source B

What the constitution says:

The Union is said to be subsidiary to member states and can act only in those areas where "the objectives of the intended action cannot be sufficiently achieved by the member states but can rather ... be better achieved at Union level." The principle is established that the Union derives its powers from the member states.

What it means:

The idea is to stop the Union from encroaching on the rights of member states other than in areas where the members have given them away. Critics say that the EU can act in so many areas that this clause does not mean much but supporters say it will act as a brake and is an important constitutional principle.

—BBCNews online

2. Find relationships between the information in the sources.
3. Identify points or topics that the two sources have in common. Ask: Do they agree, disagree, or supplement one another?

Practicing the Skill

1. What is the main subject of each passage?
2. What does Source A say about the subject?
3. What information does Source B add?
4. Summarize what you have learned from both sources.

Applying the Skill

Find two sources on a topic dealing with the climate change. What are the main ideas in each? How does each add to your understanding of the topic?

Making Inferences

Why Learn This Skill?

To infer means “to evaluate information and arrive at a conclusion.” When you make inferences, you “read between the lines,” or use clues to figure out something that is not stated directly in the text.

Learning the Skill

Follow these steps to make inferences:

*Because the suffrage is **not a question of right** or of justice, but of policy and expediency. . . .*

*. . . Because it means simply **doubling the vote**, and especially the undesirable and corrupt vote of our large cities.*

*. . . Because the great advance of women in the last century—moral, intellectual and economic—has been made without the vote; which goes to prove that it is **not needed for their further advancement** along the same lines.*

*. . . Because our present duties fill up the whole measure of our time and ability, and are such as none but us can perform. Our appreciation of their importance requires us to protest against all efforts to infringe upon our rights by imposing upon us those obligations which cannot be performed . . . without the sacrifice of the highest interests of our **families and our society**.*

—from Northern California Association
Opposed to Woman Suffrage, 1912

1. Read carefully for statements of fact or opinion and list them.

2. Summarize the information.

3. Consider what you already know about the topic.

4. Use your knowledge and insight to develop logical conclusions.

Practicing the Skill

Read the statement above and answer the following questions.

1. What points do the authors make?
2. Which points does your experience contradict?
3. What inferences might you draw about the women who wrote the document?

Applying the Skill

Read an editorial printed in today's newspaper. What can you infer about the importance of the topic being addressed? Can you tell how the writer feels about the topic? Explain your answer.

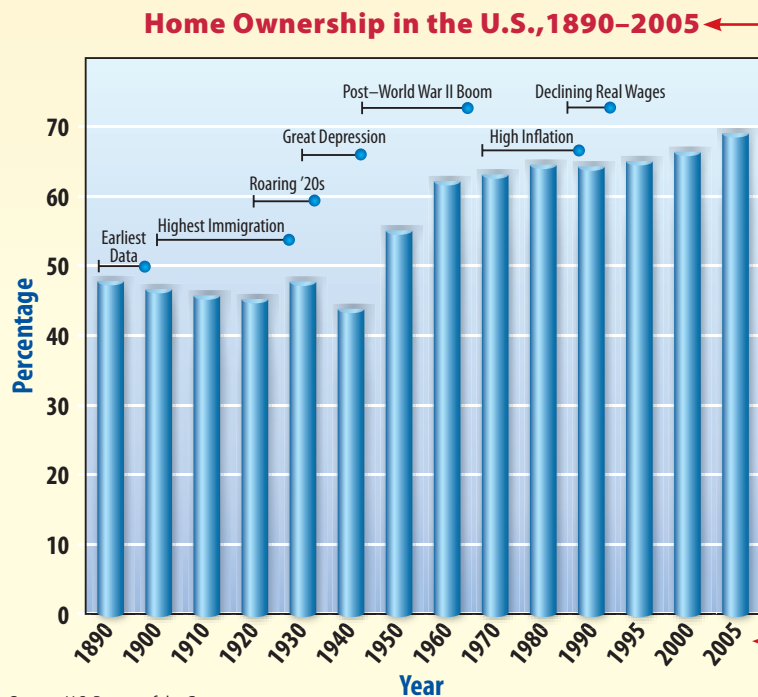
Drawing Conclusions

Why Learn This Skill?

A conclusion is a logical understanding that you reach based on details or facts that you read or hear. When you draw conclusions, you use stated information to formulate ideas that are unstated.

Learning the Skill

Follow these steps to draw conclusions:



1. Read the text and labels carefully, looking for facts and ideas.

2. Summarize the information. List trends or important facts.

3. Apply related information that you already have.

4. Use your knowledge and insight to develop some logical conclusions.

Practicing the Skill

The bar graph above shows the percentage of Americans who owned their own homes during various time periods. Study the graph and answer the following questions:

1. When was the home-ownership rate the lowest? Why do you think this was so?
2. During which 20-year period did home-ownership rates increase the most? Why do you think this happened?
3. What conclusions can you draw about trends in home ownership?

Applying the Skill

Read one of the We the People profiles in this book. Using the information in the profile, what conclusions can you draw about the life of the person who is described?

Comparing and Contrasting

Why Learn This Skill?

When you make comparisons, you determine similarities among ideas, objects, or events. When you contrast, you are noting differences between ideas, objects, or events. Comparing and contrasting are important skills because they help you clarify your thinking on a topic or subject.

Learning the Skill

Follow these steps to draw conclusions. Then answer the questions below.

1. Select the items to compare or contrast.

2. To compare, determine a common area or areas in which comparisons can be drawn. (Typically in a table, similar elements will appear side-by-side.)

3. To contrast, look for differences that set the items apart from one another.

TYPES of LAW	
Civil Law	Criminal Law
Civil cases, or lawsuits, concern disputes among two or more people or between individuals and the government.	A crime breaks a criminal law and causes injury or harm to people or to society in general.
The person who brings charges in a lawsuit (called the complaint) is called the plaintiff.	In criminal cases, it is the government that charges a person with a crime.
The plaintiff seeks damages, an award of money, from the defendant.	The government, or state, seeks justice by winning a conviction in a trial and sentencing to prison or probation.

Practicing the Skill

1. How are civil and criminal law similar, if they are?
2. How do civil and criminal law differ?

Applying the Skill

Survey 10 of your classmates about an issue in the news and summarize their responses in a short document. Finally, compare and contrast their opinions in a paragraph, or if you prefer, a table.

Making Generalizations

Why Learn This Skill?

Generalizations are judgments that are usually true based on the facts at hand. If you say, “We have a great soccer team,” you are making a generalization. If you also say that your team is undefeated, you are providing evidence to support your generalization.

Learning the Skill

Follow these steps to learn how to make a valid generalization. Then answer the questions below.

1. Identify the subject matter.

2. Collect factual information and examples that are relevant to the subject.

The reins of government have been so long slackened that I fear the people will not quietly submit to those restraints which are necessary for the peace and security of the community. If we separate from Britain, what code of laws will be established? How shall we be governed so as to retain our liberties? Can any government be free which is administered by general stated laws? Who shall frame these laws? Who will give them force and energy? It is true your resolutions, as a body, have hitherto had the force of laws; but will they continue to have?

—Letter of Abigail Adams to John Adams, 1775

3. Identify similarities among these facts.

4. Use these similarities to form some general ideas about the subject.

Practicing the Skill

1. Based on the letter, what generalization is Abigail Adams making about the possibility of separating from Britain?
2. What evidence supports your generalization?

Applying the Skill

Read three editorials in a newspaper and make a generalization about each.

Evaluating Information

Why Learn This Skill?

We live in an information age. Because the amount of information that is available can be overwhelming, it is sometimes difficult to tell which information is accurate and useful. To do this, you have to evaluate what you read and hear.

Learning the Skill

To figure out how reliable information is, ask yourself the following questions as you read:

“The single biggest factor in the inflation rate last year was from one cause: the skyrocketing prices of OPEC oil. We must take whatever actions are necessary to reduce our dependence on foreign oil—and at the same time reduce inflation.”

—former president Jimmy Carter, January 23, 1980

1. Is the author or speaker identified? Is he or she an authority on the subject?

“Oil prices are so high, *becuz* big oil companys are tryng to goug us. Greedy oil executives are driven up prices to get richer.”

—on an individual’s Internet “blog”

2. Is there bias? Does the source unfairly present just one point of view, ignoring any arguments against it?

3. Is it well written and well edited? Writing filled with errors in spelling, grammar, and punctuation is likely to be careless in other ways, too.

“It’s certainly clear that high oil prices aren’t dulling demand for energy products. According to the Energy Dept.’s Energy Information Administration (EIA), U.S. demand for gasoline in June was 9.5 million barrels per day, a record.”

—*BusinessWeek*, July 7, 2006

4. Is the information printed in a credible, reliable publication? Also notice whether the information is up-to-date.

5. Is the information backed up by facts and other sources? Does it seem to be accurate?

Practicing the Skill

After reading the statements above, rank them in order of most reliable to least reliable. Explain why you ranked them as you did.

Applying the Skill

Find an advertisement that contains text and bring it to class. In a brief oral presentation, tell the class whether the information in the advertisement is reliable or unreliable, and why.

Distinguishing Fact from Opinion

Why Learn This Skill?

To make reasonable judgments about what others say or write, it is important to distinguish facts from opinions. Facts can be proved by evidence such as records, documents, or historical sources. Opinions are based on people's differing values and beliefs.

Learning the Skill

To learn how to separate facts from opinions, follow these steps:

1. Identify the facts.

Ask: Which statements can be proved? Where would I find information to verify this statement? If the information is a statistic, it might sound impressive, but you won't know if it's accurate unless you check the source.

“In speaking of the consequences of a precipitate withdrawal [from Vietnam], I mentioned that our allies would lose confidence in America. Far more dangerous, we would lose confidence in ourselves. . . .”

In San Francisco a few weeks ago, I saw demonstrators carrying signs reading: “Lose in Vietnam, bring the boys home.”

Well, one of the strengths of our free society is that any American has a right to reach that conclusion and to advocate that point of view. But as President of the United States, I would be untrue to my oath of office if I allowed the policy of this Nation to be dictated by the minority who hold that point of view and who try to impose it on the Nation by mounting demonstrations in the street. . . . If a vocal minority, however fervent its cause, prevails over reason and the will of the majority, this Nation has no future as a free society. ”

—Richard M. Nixon speech, November 3, 1969

2. Identify opinions

by looking for statements of feelings or beliefs. Opinions sometimes contain words like *should*, *would*, *could*, *best*, *greatest*, *all*, *every*, or *always*.

Practicing the Skill

The excerpt above is from a televised speech given by President Richard M. Nixon in 1969, when a Gallup poll showed that 58 percent of Americans believed the Vietnam War was a mistake. Reread the excerpt and answer the questions that follow.

1. Which statements in the passage are factual?
2. Which statements are opinions? Explain.
3. What was the speaker's purpose?

Applying the Skill

Watch a television interview. Then list three facts and three opinions that you hear.

Supreme Court Case Summaries

The following case summaries explain the significance of important Supreme Court cases mentioned in the text narrative.



Abington School District v. Schempp and Murray v. Curlett (1963) struck down a Pennsylvania statute requiring public schools in the state to begin each school day with Bible readings and recitation of the Lord's Prayer. The Supreme Court ruled that the business of government is not to craft and mandate religious exercises. It held that the establishment clause leaves religious beliefs and practices to each individual's choice and commands that government not intrude into this decision-making process.

Adarand Constructors, Inc. v. Peña (1995) announced a major shift in the way the Court viewed federal affirmative action programs. Before this case, courts did not give the same level of scrutiny to federal programs as was given to state and local programs. After this case, all government affirmative action programs must be justified by a compelling interest.

Adderly v. Florida (1966) again applied the time-place-and-manner rationale. The Court held that demonstrators could be barred from public grounds near a jail. In so holding, the Court also pointed out that these grounds were not ordinarily open to the public.

Allegheny County v. ACLU (1989) held that a crèche (a Nativity scene) by a banner reading "Glory to God in the Highest" and centrally displayed in a city/county building violated the establishment clause because it endorsed a particular religious viewpoint.

Arizona v. Fulminante (1991) held that a confession given by one prison inmate, Oreste Fulminante, to another inmate, Anthony Sarivola, in exchange for Sarivola's promise of protection, was involuntary and could not be used as evidence at Fulminante's trial.

Arkansas v. Sanders (1979) held that a warrant was required to search luggage taken from a lawfully stopped automobile. The Supreme Court explained that a law enforcement emergency was necessary to dispense with the Fourth Amendment's warrant requirement. Because the search was unlawful, the evidence seized was inadmissible under the exclusionary rule (see *Mapp v. Ohio* discussed below).

Atwater v. City of Lago Vista (2001) held that the Fourth Amendment does not protect individuals from warrantless arrests for minor offenses. A Texas woman was arrested and jailed for violating the state's seat belt law, entailing a \$50

fine. The Supreme Court recognized the arresting officer's lack of judgment but ruled that the arrest was not extraordinary or unusually harmful, adding that the problem of warrantless arrests for minor violations was best addressed by legislation.

Baker v. Carr (1962) established that federal courts can hear suits seeking to force a state to redraw electoral districts. In this case, the plaintiffs wanted the population of each district to be roughly equal to the population in all other districts. They claimed that where district populations differ, such an imbalance denied them equal protection of the laws. Before this case, it was thought that federal courts had no authority under the Constitution to decide issues of malapportionment.

Barron v. Baltimore (1833) held that the Fifth Amendment's provision that the government must pay if it takes private property did not apply to state governments. At the time, the decision supported the view that the Bill of Rights applied only to the federal government. However, the Supreme Court established that most of the rights contained in the Bill of Rights apply to all levels of government—states, counties, cities, towns, and agencies such as local school boards. This case has been effectively overruled by cases that apply Fourteenth Amendment protections to the Bill of Rights.

Bethel School District v. Fraser (1986) retreated from the expansive view of the First Amendment rights of public school students found in *Tinker v. Des Moines School District* (see below). Here the Supreme Court held that a public high school student did not have a First Amendment right to give a sexually suggestive speech at a school-sponsored assembly, and upheld the three-day suspension of the student who made the speech. In deciding the case, the Court made it clear that students have only a limited right of free speech. According to the Court, a school does not have to tolerate student



Supreme Court Case Summaries

speech that is inconsistent with its educational mission, even if the same speech would be protected elsewhere.

***Betts v. Brady* (1942)** refused to extend the holding of *Powell v. Alabama* (see below) to noncapital, i.e., non-death penalty, cases. In this case, the Supreme Court held that poor defendants in noncapital cases are not entitled to an attorney at government expense.

***Bigelow v. Virginia* (1975)** established for the first time that commercial speech—speech that proposes a commercial or business transaction—is protected by the First Amendment. The Court held that the Virginia courts had erred because “pure speech” rather than conduct was involved in the advertising.

***Board of Education v. Allen* (1968)** upheld a state program that lent state-approved, secular textbooks to religious schools against an establishment clause (U.S. Const. Amend. I, cl. 1) challenge. The Supreme Court reasoned that the law had a valid secular purpose—teaching the state’s secular curriculum—and that the primary effect of the program neither advanced nor inhibited religion.

***Boumediene v. Bush* (2008)** addressed the rights of foreigners detained as terrorist suspects at Guantanamo Bay military base. The Court ruled that such suspects have the same habeas corpus rights under the Constitution as citizens; that is, they have the right to challenge their detention in American courts. Specifically, the Court ruled that operation of the military tribunals set up by the 2006 Military Commissions Act does not suspend their habeas corpus rights.

***Brandenburg v. Ohio* (1969)** overruled *Whitney v. California* (see below). In this case, the Supreme Court held that laws that punish people for advocating social change through violence violate the First Amendment. The Court explained that advocacy of an idea, even an idea of violence, is protected by the First Amendment. What is not protected is inciting people to engage in immediate lawless conduct. The Court then reversed the conviction of a member of the Ku Klux Klan for holding a rally and making strong derogatory statements against African Americans and Jews.

***Branzburg v. Hayes* (1972)** established that the press may be required to give information in its possession to law enforcement authorities. In this case the Supreme Court upheld findings of contempt against three journalists who refused to testify before grand juries investigating criminal activity. The Court recognized that an effective press must be able to keep the identity of news sources

confidential but concluded that news-source confidentiality must yield to the needs of law enforcement.

***Braswell v. United States* (1988)** held that the Fifth Amendment’s protection against self-incrimination does not extend to an individual who is compelled by court order to surrender a corporation’s records. First, the Supreme Court explained that the self-incrimination protection belongs only to an individual. Because a corporation is not an individual, it does not qualify for the protection. Second, the Court pointed out that the self-incrimination protection applies only to testimony, not to books and records.

***Brown v. Board of Education* (1954)** overruled *Plessy v. Ferguson* (1896) (see below) and abandoned the “separate but equal” doctrine in the context of public schools. In deciding this case, the Supreme Court rejected the idea that truly equivalent but separate schools for African American and white students would be constitutional. The Court then held that racial segregation in public schools violates the equal protection clause because it is inherently unequal. In practical terms, the Court’s holding in this case has been extended beyond public education to virtually all public accommodations and activities.

***Buckley v. Valeo* (1976)** clarified the bearing that campaign finance laws had on the First Amendment’s protection of free speech and association. In 1975 Congress attempted to eliminate sources of political campaign corruption with a law regulating and limiting campaign funds. The Court ruled that limiting the dollar amount contributed by individuals was allowable because the Court said it strengthened the “integrity of our system of representative democracy.” The Court decided that other restrictions, such as limiting the total amount of money spent on a campaign, were not enough of a threat to government interests to justify limiting free speech.

***Burstyn v. Wilson* (1952)** extended the protection of the First Amendment to motion pictures, overruling a 1915 case that held that motion pictures were unprotected. The Supreme Court went on to hold that a state may not ban a film on the ground that it is “sacrilegious,” i.e., that it treats one, some, or all religions “with contempt, mockery, scorn and ridicule.”

***Bush v. Gore* (2000)** found that a manual recount of disputed presidential ballots in Florida lacked a uniform standard of judging a voter’s intent, thus violating the equal protection clause of the Constitution. The court

also ruled that there was not enough time to conduct a new manual recount that would pass constitutional standards. The case arose when Republican candidate George W. Bush asked the Court to stop a hand recount. This decision ensured that Bush would receive Florida's electoral votes and win the election.

***Bush v. Palm Beach Canvassing Board* (2000)** was the first time the Supreme Court agreed to hear a case involving a presidential election. The Court reviewed a decision by the Florida Supreme Court to extend the deadline for recounting votes and returned the case to the Florida court for a better explanation of its reasoning.

***California v. Acevedo* (1991)** held that the Fourth Amendment's prohibition of unreasonable searches and seizures does not require a warrant to search inside an automobile as long as police have probable cause to believe that the object to be searched contains contraband.

***California v. Greenwood* (1988)** held that the Fourth Amendment's protection against unreasonable searches and seizures does not extend to the search of a person's garbage after that garbage has been placed outside of the home for trash collection. The Supreme Court explained that an individual does not have a reasonable expectation of privacy for trash that has been placed on public streets for disposal.

***Chaplinsky v. New Hampshire* (1942)** announced the "fighting words" doctrine. The defendant, a Jehovah's Witness, was convicted under a state law making it a crime to address any person in public in an offensive manner; the offensive manner in this case was using profanity and name-calling in describing the town marshal. In upholding the conviction, the Supreme Court explained that the free speech clause does not protect fighting words—words that have a direct tendency to provoke the person to whom the words are addressed.

***Chisholm v. Georgia* (1793)** stripped the immunity of the states to lawsuits in federal court. The Supreme Court held that a citizen of one state could sue another state in federal court without that state consenting to the suit. The Court's decision created a furor and led to the adoption of the Eleventh Amendment, which protected states from federal court suits by citizens of other states. In 1890 in *Hans v. Louisiana*, the Court extended this immunity; unless a state agreed, it could not be sued in federal court by its own citizens.

***City of Boerne, Texas v. Flores* (1997)** struck down the Religious Freedom Restoration Act as an unconstitutional

attempt by Congress to expand the Court's reading of the free exercise clause (U.S. Const., Amend. I, cl. 1). The Court then held that Congress could not pass legislation that would allow individuals and groups to disobey neutral laws of general application just because the laws might have the indirect effect of making religious practices more difficult.

***Clinton v. City of New York* (1998)** consolidated two challenges to line-item vetoes President Bill Clinton issued in 1997. The Court ruled 6 to 3 in favor of New York City hospitals and Idaho's Snake River Potato Growers, who challenged separate vetoes. Justice John Stevens said Congress could not endow the president with power to alter laws without amending the Constitution.

***Committee for Public Education v. Regan* (1980)** held that the establishment clause (U.S. Const., Amend. I, cl. 1) is not violated by a program that reimburses religious schools for routine record-keeping and testing services performed by the schools but required by state law.

***Cox v. Louisiana* (1965)** upheld the constitutionality of a statute that prohibited parades near a courthouse. Acknowledging that the First Amendment generally protects marching or picketing, the Supreme Court explained that the special nature of courthouses—specifically, their central role in the administration of justice—justified the statute. The underlying principle justifying the statute is that while government may not be able to prohibit certain speech or speechlike conduct, it can control its time, place, and manner.

***Cox v. New Hampshire* (1941)** upheld the convictions of 68 Jehovah's Witnesses for marching on a public sidewalk without a permit. The Court stressed that the defendants were not being punished for distributing religious leaflets or inviting passersby to a meeting of the religious group. The Court explained that local government officials have the authority to establish time, place, and manner restrictions on the use of public property for expressive purposes and that requiring a permit is a reasonable way for local officials to ensure that marching is not disruptive.

***Dartmouth College v. Woodward* (1819)** held that the state of New Hampshire acted unconstitutionally when it attempted to transfer control of Dartmouth College from the trustees, the governing body of the college, to the state. When the college was created by a charter in 1769, the trustees were given all rights necessary to run the college. The charter, explained the Supreme Court, was a contract protected by the impairments of



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contracts clause (U.S. Const., Art. I, sec. 10, par. 1) from state interference. The Court then held that the trustees' contractual rights were violated when the state removed the trustees and replaced them with the governor and his appointees.

***Debs v. United States* (1919)** followed the decision in *Schenck v. United States* (see below). The Supreme Court upheld labor leader Eugene V. Debs's convictions for violating the Federal Espionage Act and obstructing the draft. The basis of the convictions was a speech opposing war in general and World War I in particular. The Court held that Debs's speech was not protected by the free speech clause because it posed a clear and present danger to the nation's war effort.

***DeJonge v. Oregon* (1937)** reinforced earlier Supreme Court holdings that the First Amendment's protection of peaceable assembly and association must be honored by the states. In this case, Dirk DeJonge, a member of the Communist Party, was convicted and sentenced to a seven-year prison term for speaking at a public meeting of the party. In reversing the conviction, the Court held that merely speaking at a meeting of the Communist Party was protected by the First Amendment.

***Dennis v. United States* (1951)** upheld convictions of several Communist Party members for advocating the violent overthrow of the U.S. government in violation of the federal Smith Act. The Supreme Court applied the clear-and-present-danger test announced in the *Schenck* decision (see below) and once again rejected the claim that the free speech clause protects antigovernment speech and publications.

***Dickerson v. United States* (2000)** overruled a federal law which stated that the admissibility of statements into evidence depended only on whether they were made voluntarily. In so doing, the Court upheld the standard set by the *Miranda* decision—statements were admissible only if the suspect had received *Miranda* warnings before being interrogated.

***District of Columbia v. Heller* (2008)** held that a 1975 law banning handguns for most Washington, D.C., residents was unconstitutional. It was the first time that the Court ruled a law unconstitutional because it violated the Second Amendment. The Court said that the Second Amendment right to bear arms applies to individuals, not just to state militias. The Court said that, while the right to bear arms is not unlimited, the District law tried to ban an entire class of firearms that Americans often choose for the lawful purpose of self-defense.

***Dred Scott v. Sandford* (1857)** was decided before the Fourteenth Amendment was added to the Constitution. (The Fourteenth Amendment provides that anyone who is born or naturalized in the United States is a citizen of the nation and of his or her state of residence.) In this case, the Supreme Court held that an enslaved person was property, not a citizen, and thus had no rights under the Constitution. The Court's decision was met with outrage in the North and was a prime factor precipitating the Civil War.

***Edwards v. Aguillard* (1987)** struck down a Louisiana statute requiring public schools to teach creation science if they taught evolution. The Supreme Court explained that the effect of the statute was a clear violation of the establishment clause (U.S. Const., Amend. I, cl. 1), which is to keep government out of religion and religion out of government.

***Engel v. Vitale* (1962)** held that the establishment clause (U.S. Const., Amend. I, cl. 1) was violated by a public school district's practice of starting each school day with a prayer that began: "Almighty God, we acknowledge our dependence upon Thee." The Supreme Court explained that under the establishment clause, religion is a personal matter to be guided by individual choice. In short, the Court concluded that the establishment clause was intended to keep government out of religion, thus making it unacceptable for government to compose prayers for anyone to recite.

***Epperson v. Arkansas* (1968)** held that the state's anti-evolution law violated the establishment clause (U.S. Const., Amend. I, cl. 1) because its sole purpose was to remove from the state's public school curriculum a scientific theory found objectionable by fundamentalist Christians. The Supreme Court explained that the law amounts to a clear violation of the establishment clause, which requires that government be neutral with respect to all religious views and practices.

***Escobedo v. Illinois* (1964)** was the forerunner of *Miranda v. Arizona* (see below). In this case, the Supreme Court reversed the murder conviction of Danny Escobedo, who gave damaging statements to police during questioning. Throughout the questioning, Escobedo repeatedly but unsuccessfully asked to see his attorney. In holding that Escobedo's Sixth Amendment right to counsel had been violated, the Court explained that an attorney could have assisted Escobedo in invoking his Fifth Amendment privilege against self-incrimination. In other words, an attorney could have told Escobedo when to keep quiet.

***Everson v. Board of Education* (1947)** concluded that a New Jersey township had not violated the establishment clause when it reimbursed parents for the cost of sending their children to school on public transportation. The reimbursement was made to all parents even if their children attended religious schools. The Supreme Court explained that the practice served the public purpose of getting children to school safely; was neutrally administered, neither favoring nor disfavoring anyone on the basis of their religious views; and was not intended to advance religion.

***Ex parte Endo* (1944)** arose out of the detainment of Japanese Americans living on the West Coast during World War II when Japan was an enemy of the United States. The case began when a citizen of Japanese descent, whose loyalty to the United States was never in doubt, asked to be released from a relocation camp. In this case, the Supreme Court held that the federal government has no constitutional basis to detain a loyal citizen.

***Ex parte Milligan* (1866)** established the primacy of the judicial branch in the absence of a bona fide national emergency. The case concerned the military trial of Lambdin Milligan, who was accused by the Army of conspiring to liberate Confederate prisoners from Union prisons during the Civil War. The Supreme Court held that the Constitution prohibits the federal government from trying a civilian in a military court as long as civilian courts are open and available.

***Feiner v. New York* (1951)** upheld the disorderly conduct conviction of Irving Feiner. Feiner was arrested as he was giving a speech on a street corner in a predominantly African American section of the city. Among other things, Feiner suggested that if African Americans do not have equal rights, they should rise up in arms and fight for their rights. The Supreme Court said that the First Amendment protected free speech but not the right to use speech to incite a riot.

***Fletcher v. Peck* (1810)** established the principle that a state could not interfere with or impair the value of lawful contract rights. In this case, the Georgia legislature enacted legislation that deprived a purchaser of land of the property. The Supreme Court held that the legislative action violated the impairment of contract clause (U.S. Const., Art. I, sec. 10, par. 1) and declared the Georgia statute null and void.

***Florida v. J.L.* (2000)** established that an anonymous tip that a person is carrying a gun fails to justify a stop and frisk of the person by a police officer. Under the Fourth Amendment, such a search is unconstitutional.

***Frisby v. Schultz* (1988)** upheld a picketing ordinance that prohibited protesters, such as antiabortion protesters, from picketing the house of a physician who performed abortions. However, the ordinance did not prohibit picketing in the general area of the physician's house. The Supreme Court explained that the ordinance was designed to preserve the privacy individuals expect at home. In addition, the ordinance was content-neutral and did not apply more broadly than necessary to protect residential privacy.

***Furman v. Georgia* (1972)** invalidated imposition of the death penalty under state laws then in place. The Supreme Court explained that existing death penalty statutes did not give juries enough guidance in deciding whether or not to impose the death penalty; the result was that the death penalty in many cases was imposed arbitrarily, i.e., without a reasonable basis in the facts and circumstances of the offender or the crime.

***Gannett Company, Inc. v. DePasquale* (1979)** established that neither the press nor the public have a First Amendment right to attend pretrial proceedings, such as a motion to suppress, or keep out, evidence in a criminal case.

***Gibbons v. Ogden* (1824)** made it clear that the authority of Congress to regulate interstate commerce (U.S. Const., Art. I, sec. 8, cl. 3) includes the authority to regulate intrastate commercial activity that bears on, or relates to, interstate commerce. Before this decision, it was thought that the Constitution would permit a state to close its borders to interstate commercial activity—which, in effect, would stop such activity in its tracks. This case says that only Congress can regulate commercial activity that has both intrastate and interstate dimensions.

***Gideon v. Wainwright* (1963)** overruled *Betts v. Brady* (see above) and held for the first time that poor defendants in criminal cases have the right to a state-paid attorney under the Sixth Amendment. This rule has been refined to apply when the defendant, if convicted, can be sentenced to more than six months in jail.

***Gitlow v. New York* (1925)** upheld a conviction for publishing articles that advocated the violent overthrow of democratic governments, in general, and the U.S. government, in particular. In upholding the defendant's conviction under New York's so-called criminal anarchy law, the Court again rejected a free-speech defense while recognizing that the right of free speech is fundamental and that a state legislature is entitled to take steps to prevent public disorder.

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Gratz v. Bollinger (2003) ruled that the use of racial preferences in the undergraduate admissions policy at the University of Michigan violated the Equal Protection Clause of the Fourteenth Amendment and Title VI of the 1964 Civil Rights Act. (Compare this with the *Grutter v. Bollinger* ruling discussed below.)

Grayned v. City of Rockford (1972) upheld the convictions of several hundred demonstrators charged with violating a city ordinance that prohibited demonstrations on or near schools while classes were being held. Once again the Court applied the time-place-and-manner doctrine (see *Cox v. Louisiana*). The First Amendment permits persons to demonstrate, but the government can regulate when, where, and how demonstrations are held.

Gregg v. Georgia (1976) specifically held that the death penalty is not necessarily unconstitutional. The Supreme Court went on to uphold the Georgia death penalty statute, explaining that the law provided sufficient safeguards to ensure that the penalty was imposed only as a rational response to the facts of the crime and the circumstances of the offender.

Grutter v. Bollinger (2003) upheld the University of Michigan Law School's use of racial preferences in its admissions policy. The Court ruled that the procedure's narrow focus did not violate the Equal Protection Clause of the Fourteenth Amendment.

Hamdan v. Rumsfeld (2006) ruled that the executive branch did not have the authority to set up special military commissions to try terrorist suspects without the authorization of Congress. As a result, Congress passed the Military Commissions Act, which provided for special military tribunals to try these suspects. The law, however, stated that noncitizens would not have the right to file writs of habeas corpus. (See *Boumediene v. Bush* for the Court's later ruling on that provision.)

Hazelwood School District v. Kuhlmeier (1988) held that public school officials are in control of the editorial content of a student newspaper published as part of the school's journalism curriculum. Students' First Amendment rights do not include deciding what will and will not be published in a student newspaper that is tied to the school's curriculum.

Heart of Atlanta Motel, Inc. v. United States (1964) upheld the Civil Rights Act of 1964, which prohibits racial discrimination by those who provide goods, services, and facilities to the public. The Georgia motel in the case drew its business from other states but refused to rent rooms

to African Americans. The Supreme Court explained that Congress had the authority to ban such discrimination under both the equal protection clause (U.S. Const., Amend. XIV, sec. 1) and the commerce clause (U.S. Const., Art. I, sec. 8, cl. 3).

Hudson v. United States (1997) held 5 to 4 that the federal criminal charges in cases of regulatory wrongdoing could follow civil fines, if the fines were not punitive. The Supreme Court had ruled in *United States v. Halper* (see below) that civil and criminal penalties could not be imposed for the same act. The Court said Halper supported too broad a reading of the double jeopardy clause.

Hughes v. Superior Court (1950) upheld the contempt convictions of several individuals for picketing a grocery store in violation of a court order prohibiting the picketing. The picketers wanted the store to hire African Americans in proportion to the percentage of the store's African American customers. While recognizing that labor picketing is protected by the free speech clause, the Supreme Court explained that it does not enjoy the same protection as pure speech. The Court then held that the free speech clause does not bar a state from prohibiting labor picketing aimed at forcing an employer to adopt a hiring quota.

Hustler Magazine v. Falwell (1988) held that public officials or public figures subject to parody by the press cannot recover damages (i.e., money) for the emotional distress caused by the parody unless they can prove that the parody was false or was published in reckless disregard of the truth or falsity of its content.

Hutchinson v. Proxmire (1979) articulated the limits of the speech and debate clause (U.S. Const., Art. I, sec. 6), which provides that members of Congress cannot be held criminally or civilly liable for statements made in either house. In this case, however, the Supreme Court held that the clause did not protect Wisconsin Senator William Proxmire from being sued for libel. In a press release, at a news conference, and on television news programs, Proxmire claimed that federal funds were wasted in paying for a study of aggressive behavior in animals. Had the senator limited his remarks to a speech on the Senate floor, the speech and debate clause would have protected him from the libel suit; he lost the protection of the clause by making his remarks outside of Congress.

INS v. Chadha (1983) held that legislative action by Congress must comply with the Constitution. In this

case, the Supreme Court concluded that the Constitution did not permit one house, acting unilaterally, to override the decision of the attorney general allowing an alien, Chadha, to remain in the United States. The Court said that the attorney general's decision could be set aside only by legislation passed by both houses and signed into law by the president, or passed a second time by a two-thirds vote of both houses in the event of a presidential veto.

***International Brotherhood of Teamsters, Local 695 v. Vogt* (1957)** upheld a state court order prohibiting labor picketing aimed at nonunion employees and seeking to encourage them to join the picketers' union. The Supreme Court explained that a state cannot prohibit any and all labor picketing. (See *Thornhill v. Alabama* discussed below.) But, said the Court, a state can prohibit labor picketing in order to preserve the right of each nonunion employee to decide for himself or herself whether to join a union.

***Jacobson v. Massachusetts* (1905)** upheld a state law requiring smallpox vaccinations against an individual's claim that submitting to a vaccination would violate his religious beliefs. The law was another example of a neutral law of general application intended to prevent the spread of a communicable disease that could kill. (See *Reynolds v. United States* discussed below.) The Supreme Court explained that the state's health and welfare interest took precedence over the individual's free exercise rights.

***Jaffee v. Redmond* (1996)** held for the first time that federal rules of evidence recognize a psychotherapist-patient privilege, which protects confidential communications in that context from compelled disclosure at a criminal trial or in a civil trial. The Supreme Court, however, cautioned that the privilege is not absolute and might be required to yield if, for example, a therapist's disclosure is required to avert serious harm to the patient or another.

***Johnson v. Transportation Agency, Santa Clara County, California* (1987)** held that Title VII of the Civil Rights Act of 1964 allows an employer to take gender into account in awarding promotions. The Supreme Court explained that this type of affirmative action is permissible as long as the employer is using the action to remedy the effects of past discrimination against women.

***Katz v. United States* (1967)** overruled *Olmstead v. United States* (see below). In this case, the Supreme Court announced that the Fourth Amendment's protection against unreasonable searches and seizures applies to people, not places. In particular, the Court held that the



▲ Supreme Court gavel

Fourth Amendment applies to telephone wiretaps, and this means, as a general rule, that police must have a court order to place a wiretap.

***Kiryas Joel Village School District v. Grumet* (1994)** struck down as a violation of the establishment clause (U.S. Const., Amend. I, cl. 1) a New York statute creating a public school district limited to a single Jewish village and controlled entirely by the leaders of an ultra-Orthodox Jewish sect. The Supreme Court explained that the statute gave the secular authority to educate to a specific religion. Also, because no other religious group had ever received such treatment, the Court said that the establishment clause was violated because the state had singled out the sect for favorable treatment.

***Korematsu v. United States* (1944)** upheld the federal government's authority to exclude Japanese Americans, many of whom were citizens, from designated military areas that included almost the entire West Coast. The government defended the so-called exclusion orders as a necessary response to Japan's attack on Pearl Harbor, which widened World War II from a war against Germany to one against Japan as well. However, in upholding the exclusion orders, the Supreme Court established that courts will subject government actions that discriminate on the basis of race to the most exacting scrutiny, often referred to as strict scrutiny.

***Lau v. Nichols* (1974)** held that the Civil Rights Act of 1964 was violated when San Francisco's public school district refused to instruct children of Chinese ancestry in English. The Supreme Court explained that the Chinese students in the case were not receiving the same education as non-Chinese students as required by the Civil Rights Act, which the school district had agreed to abide by in exchange for receiving federal funds.

***Lee v. Weisman* (1992)** held that having clergy offer prayers as part of an official public school graduation ceremony is forbidden by the establishment clause of the First Amendment.

***Lemon v. Kurtzman* (1971)** established a three-part test for determining if a particular government action vio-



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lates the establishment clause (U.S. Const., Amend. I, cl. 1). First, the test asks if the government action has a primary *purpose* of advancing religion; second, if the action has a primary *effect* of advancing religion; and third, if the action risks entangling government in religious affairs or vice versa. The establishment clause is violated if the action fails any one of these tests.

Levitt v. Committee for Public Education (1973) struck down a New York law under which the state would reimburse religious schools for drafting, grading, and reporting the results of student achievement tests. Because teachers in religious schools prepared the tests, the tests could be used to advance the religious views of the school, a result prohibited by the establishment clause (U.S. Const., Amend. I, cl. 1).

Lloyd Corp. v. Tanner (1972) upheld a shopping center's refusal to allow anti-Vietnam War protesters to distribute flyers on its property. It is elemental that the First Amendment protects only against government action, not private action. The Court concluded that the First Amendment did not apply.

Lynch v. Donnelly (1984) held that a city-owned crèche (a Nativity scene) included in a Christmas display that also included reindeer, a Santa Claus, and a Christmas tree did not endorse a particular religious viewpoint and thus did not violate the establishment clause (U.S. Const., Amend. I, cl. 1). In the Supreme Court's view, the display was a secular holiday display.

Mapp v. Ohio (1961) extended the exclusionary rule announced in *Weeks v. United States* (see below) to state and local law-enforcement officers. After this case, evidence seized in violation of the Fourth Amendment could not be used by the prosecution as evidence of a defendant's guilt in any court—federal, state, or local.

Marbury v. Madison (1803) established one of the most significant principles of American constitutional law. In this case, the Supreme Court held that it is the Court itself that has the final say on what the Constitution means. It is also the Supreme Court that has the final say in whether or not an act of government—legislative or executive at the federal, state, or local level—violates the Constitution.

Marsh v. Chambers (1983) held that the establishment clause (U.S. Const., Amend. I, cl. 1) was not violated by the practice of the Nebraska legislature to begin its sessions with a prayer. The Supreme Court first noted that the practice had a long history in America, observing

that the first Congresses had chaplains. The Court also explained that such a practice when directed to adults is not likely to be perceived as advancing a particular religion or religion in general.

McCollum v. Board of Education (1948) held that the establishment clause was violated by a public school district's practice of allowing privately paid teachers to hold weekly religion classes in public schools. The Supreme Court explained that the practice used public funds to disseminate religious doctrine, a result flatly at odds with the purpose of the establishment clause.

McCulloch v. Maryland (1819) established the foundation for the expansive authority of Congress. The Supreme Court held that the necessary and proper clause (U.S. Const., Art. I, sec. 8, cl. 18) allows Congress to do more than the Constitution expressly authorizes it to do. This case says that Congress can enact nearly any law that will help achieve any of the ends set forth in Article I, Section 8. For example, Congress has the express authority to regulate interstate commerce; the necessary and proper clause permits Congress to do so in ways not specified in the Constitution.

Miller v. California (1973) established the test for determining if a book, movie, television program, etc., is obscene and thus unprotected by the First Amendment. A work is obscene if: 1) the average person would find that the work taken as a whole appeals to prurient interests; 2) the work defines or depicts sexual conduct in a "patently offensive way" as determined by state law; and 3) the work taken as a whole "lacks serious literary, artistic, political, or scientific value."

Minersville School District v. Gobitis (1940) held that a state could require public school students to salute the American flag. The Supreme Court explained that a general law (the flag-salute law in this case), not intended to restrict or promote religious views, must be obeyed. This decision did not last long; it was overruled three years later by *West Virginia State Board of Education v. Barnette*, discussed below.

Miranda v. Arizona (1966) held that a person in police custody cannot be questioned unless told that: 1) he or she has the right to remain silent, 2) he or she has the right to an attorney (at government expense if the person is unable to pay), and 3) that anything the person says after acknowledging that he or she understands these rights can be used as evidence of guilt at trial. These advisements constitute the well-known *Miranda* warnings and operate to ensure that a person in custody

will not unknowingly give up the Fifth Amendment's protection against self-incrimination.

***Mitchell v. Helms* (2000)** holds that Chapter 2 of the Education Consolidation and Improvement Act of 1981 does not violate the establishment clause of the First Amendment when it provides funds for religiously affiliated schools. The act distributes money to buy equipment and materials for public and private schools.

***Mueller v. Allen* (1983)** upheld a Minnesota law that allowed parents of private school students, whether in sectarian or nonsectarian schools, to deduct educational expenses in computing their state income tax. The Supreme Court explained that the benefit flowed to parents and students and only indirectly, if at all, to religious schools. In addition, the benefit was neutral because it did not depend on the type of private school a student attended. The Court applied the three-prong Lemon test (see *Lemon v. Kurtzman* above) and concluded that the deduction had a neutral purpose, did not involve government in religious affairs, and, as noted, was neutral and so did not have the effect of advancing religion.

***Munn v. Illinois* (1876)** held that the commerce clause (U.S. Const., Art. I, sec. 8, cl. 3) was not violated by an Illinois law that fixed the maximum prices grain elevators could charge farmers for the short-term storage of grain before it was shipped to processors. The Supreme Court explained that the operation of grain elevators was primarily an intrastate commercial enterprise. In addition, the Court noted that Congress had not acted with respect to interstate commerce in grain and so the Illinois law could not be said to interfere with Congress's authority to regulate interstate commerce.

***Near v. Minnesota* (1931)** established the prior restraint doctrine. The doctrine protects the press (broadly defined to include newspapers, television and radio, filmmakers and distributors, etc.) from government attempts to block publication. Except in extraordinary circumstances, the press must be allowed to publish. If what is published turns out to be unprotected by the First Amendment, the government can take appropriate action.

***Nebraska Press Association v. Stuart* (1976)** struck down a judge's order that the press covering a mass murder case could not report any facts that strongly implicated the defendant. The Supreme Court held that the press cannot be prohibited from reporting what transpires in a courtroom and that, in this case, there were no facts suggesting that press coverage would infringe

upon the defendant's Sixth Amendment right to a fair trial.

***New Jersey v. T.L.O.* (1985)** held that public school officials can search a student's property, such as a purse, for evidence of wrongdoing (i.e., violating the school's no-smoking policy) without having probable cause to believe that the student did anything wrong. It is enough, said the Supreme Court, if school officials have reason to believe that the student violated a rule and that the search will confirm or dispel that suspicion. The Court agreed, however, that the Fourth Amendment protects public school students from unreasonable searches and seizures but not to the degree that adults are protected.

***New York Times Co. v. Sullivan* (1964)** extended the protections afforded to the press by the free press clause (U.S. Const., Amend. I). In this case, the Supreme Court held that a public official or public figure suing a publisher for libel (i.e., defamation) must prove that the publisher published a story that he or she knew was false or published the story in reckless disregard of its truth or falsity, which means that the publisher did not take professionally adequate steps to determine the story's truth or falsity.

***New York Times Co. v. United States (The Pentagon Papers Case)* (1971)** reaffirmed the prior restraint doctrine established in *Near v. Minnesota* (see above). In this case, the Supreme Court refused to halt publication of the Pentagon Papers, which gave a detailed critical account of the United States's involvement in the Vietnam War. There was, however, considerable disagreement on the Court with four dissenting justices voting to halt publication temporarily to allow the president to show that the documents jeopardized the war effort.

***Nix v. Williams* (1984)** announced the "inevitable-discovery rule," another example of a situation in which evidence that is otherwise inadmissible becomes admissible. Here the defendant told police where to find the body of a murder victim. The police, however, obtained this information by talking to the defendant without his attorney being present, in violation of the defendant's Sixth Amendment right to counsel. The Supreme Court excused the violation and allowed the information to be used as evidence of the defendant's guilt because the police inevitably would have discovered the body by other lawful means.

***Olmstead v. United States* (1928)** held that the Fourth Amendment's prohibition against unreasonable searches and seizures applied only to searches and seizures of

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tangible property. The Court held that the protection did not apply to telephone calls placed from public telephones, which could be intercepted by police and used as evidence. This case was overruled some 40 years later by *Katz v. United States* (see above).

***Oregon v. Elstad* (1985)** held that a defendant's voluntary but incriminating statement given before being told of his *Miranda* rights does not taint, ruin, or make inadmissible his later confession given after receiving his *Miranda* rights. (The first statement was never used against the defendant.)

***Oregon v. Smith* (1990)**, officially known as *Employment Division, Department of Human Services of Oregon v. Smith*, held that a state may deny unemployment benefits to a person who was fired for the religious use of an illegal drug called peyote. The Court followed the reasoning of an 1879 case, *Reynolds v. United States* (see below), that a person's free exercise rights are not violated by a neutral law of general application even though the law may penalize a person in the practice of his or her religion.

***Parents Involved in Community Schools v. Seattle School District No. 1, et al* (2007)** held that public schools could not assign students purely for the purpose of achieving racial integration. In the Court's 5 to 4 ruling, the majority opinion argued that any school assignment plan that used race as a factor had to be very narrowly tailored and that factors besides race are involved in achieving a diverse student body.

***Payton v. New York* (1980)** invalidated a New York statute authorizing police to make warrantless entries into homes to make routine, nonemergency felony arrests. The Court held that the Fourth Amendment requires a warrant for such routine arrests and that any evidence seized during the arrest and any statements made by the person arrested could not be used as evidence of guilt at any later criminal trial.

***PGA Tour, Inc. v. Martin* (2001)** extended protection of the Americans With Disabilities Act of 1990 to professional golf tournaments. The PGA argued that allowing Casey Martin, a professional golfer with Klippel-Trenaunay-Weber Syndrome, the use of a golf cart would fundamentally alter the nature of the competition. However, the Supreme Court affirmed a Court of Appeals judgment that the ADA covered participation in professional competition and that Martin's use of a golf cart granted him equal access without changing the nature of the competition.

***Pierce v. Society of Sisters* (1925)** held that parents have a right under the due process clause of the Fourteenth Amendment to send their children to religious schools as long as the schools meet the secular educational requirements established by state law. The Court also made it clear that although parents have the right to use religious schools, the Constitution forbids states from segregating public school students on the basis of religious affiliation.

***Plessy v. Ferguson* (1896)** upheld the "separate but equal" doctrine used by Southern states to perpetuate segregation after the Civil War officially ended it. At issue was a Louisiana law requiring passenger trains to have "equal but separate accommodations for the white and colored races." The Court held that the Fourteenth Amendment's equal protection clause required only equal public facilities for the two races, not equal access to the same facilities. This case was overruled by *Brown v. Board of Education* (1954) (see above).

***Police Department of Chicago v. Mosley* (1972)** struck down a Chicago ordinance that allowed peaceful labor demonstrations at or near public schools while classes were in session but prohibited all other demonstrations. The Court held that the ordinance was a content-based restriction; it allowed labor demonstrations but not Mosley's single-person demonstration in which he carried a sign alleging racial discrimination at a particular school. Content-based restrictions, the Court explained, almost always violate the First Amendment, but time-place-and-manner restrictions generally are accepted as placing reasonable limits on otherwise protected conduct.

***Powell v. Alabama* (1932)** established that the due process clause of the Fourteenth Amendment guarantees the defendant in any death penalty case the right to an attorney. Accordingly, states are required to provide an attorney to poor defendants who face the death penalty if convicted.

***Red Lion Broadcasting Co. v. FCC* (1969)** is one of a number of Supreme Court cases that make it clear that First Amendment rights of broadcasts are not as broad as the rights of the print media. In this case, the Court upheld two FCC regulations requiring broadcasters to give free reply-time to 1) persons criticized in political editorials and 2) persons who are attacked by others as the latter express their views on a controversial subject.

***Reed v. Reed* (1971)** was the first Supreme Court case to hold that discrimination on the basis of sex violates the equal protection clause (U.S. Const., Amend. XIV,

sec. 1). At issue in the case was a state law that preferred males to females as the administrators of estates, even though both might be equally qualified to serve as administrators. The Court held that such a mandatory preference serves no purpose but to discriminate—a basic violation of the equal protection clause.

***Regents of the University of California v. Bakke* (1978)** was the first Supreme Court decision to suggest that an affirmative action program could be justified on the basis of diversity. The Supreme Court explained that racial quotas were not permissible under the equal protection clause (U.S. Const., Amend. XIV, sec. 1), but that the diversity rationale was a legitimate interest that would allow a state medical school to consider an applicant's race in evaluating his or her application for admission. (Several more recent Supreme Court cases suggest that the diversity rationale is no longer enough to defend an affirmative action program.)

***Reno v. American Civil Liberties Union* (1997)** tested the Communications Decency Act that made it a crime to distribute “indecent” material over computer online networks. The Court said that protecting children from pornography did not supersede the right to freedom of expression, adding that the act was unenforceable with the current technology.

***Reno v. Condon* (2000)** upheld The Driver's Privacy Protection Act of 1994. The law restricts the ability of a state to disclose a driver's personal information without the driver's consent. According to the Court, the law does not violate states' rights guaranteed in the Tenth Amendment or the Eleventh Amendment provision that suits against a state be tried in a state court.

***Reynolds v. Sims* (1964)** extended the one-person, one-vote doctrine announced in *Wesberry v. Sanders* (see below) to state legislative elections. The Court held that the inequality of representation in the Alabama legislature violated the equal protection clause of the Fourteenth Amendment.

***Reynolds v. United States* (1879)** was the first major Supreme Court case to consider the impact of neutral laws of general application on religious practices. (A neutral law of general application is one that is intended to protect the public health and safety and applies to everyone regardless of religious belief or affiliation. Such a law is not intended to affect adversely any religious belief or practice but may have indirect adverse effects.) The case presented a free exercise challenge by a Mormon to a federal law making it unlawful to practice

polygamy (marriage in which a person has more than one spouse). The Mormon religion permitted a male to have more than one wife. The Court upheld the statute, saying that Congress did not have the authority to legislate with respect to religious beliefs but did have the authority to legislate with respect to actions that subvert good order.

***Rhodes v. Chapman* (1981)** held that the Eighth Amendment's prohibition against cruel and unusual punishment is not violated when prison authorities house two inmates in a cell built for only one inmate.

***Richmond Newspapers, Inc. v. Virginia* (1980)** established that both the public and the press have a First Amendment right to attend trials. The Supreme Court observed that the importance of a trial is the fundamental fact that the defendant's guilt or innocence is being determined and then explained that the fairness of the guilt/innocence determination is dependent, in part, on the openness of the proceeding.

***Richmond v. J.A. Croson Co.* (1989)** held that state and local governments must have a compelling interest, i.e., an exceedingly important interest, in order to implement affirmative action programs. One such interest is remedying discrimination against racial minorities. However, the Supreme Court struck down a Richmond, Virginia, program that gave at least 30 percent of the city's construction contracts to minority-owned businesses. The Court said that there was no proof of racial discrimination, so nothing would be remedied by the program.

***Roe v. Wade* (1973)** held that females have a constitutional right under various provisions of the Constitution—most notably, the due process clause (Amend. XIV, sec. 1)—to decide whether to terminate a pregnancy. The Supreme Court's decision in this case was the most significant in a long line of decisions over a period of 50 years that recognized a constitutional right of privacy, even though the word privacy is not found in the Constitution.

***Santa Fe School District v. Doe* (2000)** ruled that the Santa Fe School District violated the establishment clause of the First Amendment when it allowed a student council member to deliver a prayer over the intercom before varsity football games.

***Santobello v. New York* (1971)** put the Supreme Court's stamp of approval on plea bargaining. The Supreme Court explained that plea bargaining is an essential component in the administration of justice. The Court's



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decision established that a prosecutor must live up to the terms of a plea agreement, although the Court also made it clear that a defendant does not have an absolute right to have the trial judge accept a guilty plea or a plea agreement.

***Schechter Poultry Corporation v. United States* (1935)** overturned the conviction of the employers, who were charged with violating wage and hour limitations of a law adopted under the authority of the National Industrial Recovery Act. The Court held that because the defendants did not sell poultry in interstate commerce, they were not subject to federal regulations on wages and hours.

***Schenck v. Pro-Choice Network of Western New York* (1997)** upheld parts of an injunction aimed at antiabortion protesters and regulating the manner in which they could conduct their protests. The Supreme Court upheld the creation of a fixed 15-foot buffer zone separating protesters from clinic patrons and employees; the Court also upheld a cease-and-desist order under which a protester must move away from any person who indicates that he or she does not want to hear the protester's message. But the Court struck down the "floating buffer zone" that had allowed protesters who maintained a 15-foot distance to move along with patrons and employees.

***Schenck v. United States* (1919)** upheld convictions under the Federal Espionage Act. The defendants were charged with distributing leaflets aimed at inciting draft resistance during World War I; their defense was that their antidraft speech was protected by the free speech clause (U.S. Const., Amend. I, cl. 2).

The Supreme Court explained that whether or not speech is protected depends on the context in which it occurs. Here, said the Court, the context was the nation's war effort. Because the defendants' antidraft rhetoric created a "clear and present danger" to the success of the war effort, it was not protected speech.

***Sheppard v. Maxwell* (1966)** made it clear that a criminal defendant's Sixth Amendment right to a fair trial can justify restrictions on the press's First Amendment rights. The Supreme Court, however, was careful to explain that any restrictions on the press must be no broader than necessary to ensure that the defendant is tried in court and not in the press.

***The Slaughterhouse Cases* (1873)** upheld Louisiana laws regulating the butcher trade. This decision was rendered shortly after the Civil War. It narrowly interpreted

the privileges and immunities clause, as well as the due process and equal protection clauses. At the time, the Court saw these provisions as securing the rights of newly freed enslaved persons, not protecting the ordinary contract rights of businesspeople.

***Texas v. Johnson* (1989)** held that burning an American flag is expressive conduct protected by the First Amendment. Expressive conduct, the Supreme Court explained, is conduct that is intended by the actor to convey a message, and the message that the actor intends to convey is one that observers likely would understand. The Court applied the O'Brien test (see *United States v. O'Brien*) under which the government can punish a person for conduct that might have an expressive component as long as the punishment advances an important government interest that is unrelated to the content of speech. The Court then reversed the conviction of Gregory Johnson for desecrating a venerated object—burning an American flag at the 1984 Republican National Convention to protest the policies of the Reagan administration. The Court explained that Johnson was convicted solely because of the content of his speech.

***Thornhill v. Alabama* (1940)** reversed the conviction of the president of a local union for violating an Alabama statute that prohibited only labor picketing. Byron Thornhill was peaceably picketing his employer during an authorized strike when he was arrested and charged. In reaching its decision, the Supreme Court expressly held that the free speech clause protects speech about the facts and circumstances of a labor dispute.

***Tinker v. Des Moines School District* (1969)** extended First Amendment protection to public school students in the now-famous statement that "it can hardly be argued that either students or teachers shed their constitutional rights of freedom of speech or expression at the school-house gate." The Supreme Court then held that a public school could not suspend students who wore black armbands to school to symbolize their opposition to the Vietnam War. In so holding, the Court likened the students' conduct to pure speech and decided it on that basis.

***Train v. City of New York* (1975)** held that if Congress directs the executive branch to spend funds that Congress has appropriated, the executive branch must do so. In this case, Congress, over a presidential veto, appropriated federal funds for state and local sewer projects. The president directed the head of the Environmental Protection Agency to distribute only some of the appropriated funds. The Supreme Court held that

the president must comply with Congress's spending directives.

Turner Broadcasting System, Inc. v. FCC (1997) upheld the must-carry provisions of the Cable Television Consumer Protection and Competition Act against a challenge by cable television operators that the provisions violated their free speech rights. The must-carry provisions require a cable operator with 12 or more channels to set aside one-third of its capacity for use by broadcast television stations, such as CBS, at no cost. The provisions did not violate the First Amendment because they served several important government interests and did not restrict any more speech than necessary to achieve those interests.

United States v. E.C. Knight Co. (1895) gave a very narrow reading to the term *commerce* in deciding if a manufacturing monopoly violated the Sherman Antitrust Act. (Congress used its authority to regulate interstate commerce—U.S. Const., Art. I, sec. 8, cl. 3—to enact the Antitrust Act.) The Supreme Court held that commerce meant only the dollars and cents marketing of goods, not the production of goods that ultimately would be marketed. Note, however, that the Court's decision has been eroded over the years and is no longer valid.

United States v. Eichman (1990) struck down the Federal Flag Protection Act because it punishes the content of expressive speech. The Court concluded: "The Government may not prohibit the expression of an idea simply because society finds the idea itself offensive or disagreeable."

United States v. Halper (1989) held that the double jeopardy clause (U.S. Const., Amend. V, cl. 2), which prohibits multiple punishments for the same offense, can be violated by imposing a criminal and a civil penalty on an individual for the same conduct. In this case, the conduct was submitting false bills to the federal government. First the defendant received a criminal sanction (imprisonment) after a criminal trial; that penalty was followed by a civil sanction (a large fine) after a civil trial. The Court explained that the fine (\$130,000) was punishment under the double jeopardy clause because it was grossly disproportionate to the total amount of the false bills (\$585).

United States v. Leon (1984) created the good-faith exception to the exclusionary rule. In this case, a magistrate issued an arrest warrant that appeared to be valid but was later determined to be deficient because the facts on which it was based did not amount to probable cause.

However, officers served the warrant and, in the process, uncovered evidence used at Leon's trial. The Supreme Court explained that neither the officers nor the criminal justice system should be penalized for the magistrate's mistake. The good-faith exception transforms evidence otherwise inadmissible under the Fourth Amendment into admissible evidence.

United States v. Nixon (1974) made it clear that the president is not above the law. In the early 1970s, President Richard Nixon was named as an unindicted coconspirator in the criminal investigation that arose in the aftermath of a break-in at the offices of the Democratic Party in Washington, D.C. A federal judge ordered President Nixon to turn over tapes of conversations he had with his advisers. Nixon resisted the order, claiming that the conversations were entitled to absolute confidentiality by Article II of the Constitution. The Supreme Court disagreed and held that only those presidential conversations and communications that relate to performing the duties of the office of president are confidential and protected from a judicial order of disclosure.

United States v. O'Brien (1968) upheld the conviction of David Paul O'Brien for burning his draft card to dramatize his opposition to the Vietnam War, in violation of a regulation requiring a draft registrant to keep his card in his possession at all times. The Court held that symbolic speech was not a defense to a draft-card burning charge because the regulation: 1) served a valid government interest unrelated to the suppression of speech; 2) was narrowly drawn to serve the identified government interest; and 3) left open alternative channels of sending the same message.

United States v. Playboy (2000) struck down Section 505 of the Telecommunications Act of 1996 because it violated the First Amendment. The act required cable television operators to fully block channels devoted to sexually oriented programs or limit their transmission to hours when children are unlikely to be viewing television. The Court claimed that the way the law addressed the problem was too restrictive.

Vernonia School District 47J v. Acton (1995) held that the Fourth Amendment's prohibition of unreasonable searches and seizures was not violated by a public school district's policy of conducting random, suspicionless drug tests of all students participating in interscholastic athletics. The Supreme Court explained that the district's interest in combating drug use outweighed the students' privacy interests.



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***Washington v. Davis* (1976)** held that the equal protection clause (U.S. Const., Amend. XIV, sec. 1) is not violated by government actions that have a disproportionate negative impact on members of a particular race or ethnic group. At issue in the case was a test given to police applicants on which white applicants scored higher than African American applicants. The Supreme Court explained that the equal protection clause is violated only by actions taken for the purpose of discriminating against individuals on the basis of race, ethnicity, or other improper factors.

***Watkins v. United States* (1957)** limited the authority of congressional committees to hold witnesses in contempt for refusing to answer questions. The Supreme Court explained that a witness can be required to answer questions posed by a committee of Congress, but only if the questions are relevant to the committee's purpose. The Court also held that a witness before a congressional committee can invoke the Fifth Amendment's privilege against self-incrimination.

***Weeks v. United States* (1914)** created the exclusionary rule as the remedy for an unconstitutional search or seizure (U.S. Const., Amend. IV). Under the exclusionary rule, evidence seized as a result of an unconstitutional search or seizure cannot be used as evidence of guilt at a later criminal trial. The Supreme Court applied the rule only against federal officers because, at that time, the Bill of Rights was thought to apply only to the federal government.

***Wesberry v. Sanders* (1964)** established the one-person, one-vote doctrine in elections for the U.S. House of Representatives. The doctrine ensures that the vote of each voter has the same weight as the vote of every other voter. This decision means that the voting population of each congressional district within a state must be as nearly equal as possible.

***West Coast Hotel Co. v. Parrish* (1937)** upheld a Washington state statute that authorized a state commission to fix the minimum wages of women and minors. The statute was challenged as a violation of the right to contract. The Supreme Court explained that the right to contract, like most of the rights protected by the due process clause (U.S. Const., Amend. XIV, sec. 1), is not absolute. The Court held that the right to contract was outweighed by the state's interest in protecting the health, safety, and security of vulnerable workers.

***West Virginia State Board of Education v. Barnette* (1943)** made it clear that the free exercise clause (U.S. Const., Amend. I)

forbids the government from requiring a person to swear to a belief. The Supreme Court struck down a state law requiring public school students to salute the American flag and recite the Pledge of Allegiance. Parents and students of the Jehovah's Witness faith claimed that the law violated their free exercise rights because their religion prohibits them from pledging allegiance to anything other than God. The Court agreed and held that the state had no interest compelling enough to justify the law.

***Westside Community Schools v. Mergens* (1990)** upheld the Federal Equal Access Act, which provides that public schools that open their facilities to noncurricular student groups must make their facilities equally available to student religious groups.

***Whitney v. California* (1927)** upheld the California Criminal Syndicalism Act against a claim that the statute violated First Amendment rights of speech and association. The statute made it a crime for anyone to become a member of any group known to espouse political change, particularly change that would affect the distribution of wealth in the country.

***Whren v. United States* (1996)** held that the Fourth Amendment's prohibition against unreasonable searches and seizures was not violated when police stopped an automobile for minor traffic violations and discovered illegal drugs in the process. In deciding this case, the Supreme Court rejected the defendant's claim that the real reason the police stopped the vehicle was to search for drugs and that the traffic violations were a pretext. The traffic violations provided probable cause for the stop and that, said the Court, is all the Fourth Amendment requires.

***Wisconsin v. Mitchell* (1993)** upheld a Wisconsin statute that increased the penalty imposed for certain crimes if the victim was selected on the basis of race. Here the victim of a severe beating was picked because he was African American. The Supreme Court explained that the enhanced penalty did not punish speech; Mitchell remained free to think or say what he pleased on matters of race. The Court also explained that penalties are enhanced in a variety of circumstances, such as when a murder victim is a police officer or under or over a certain age, and that the First Amendment is not violated when a murder sentence is enhanced from life imprisonment to death because race was a factor in the killing of the victim.

***Wisconsin v. Yoder* (1972)** ruled that Wisconsin's compulsory education laws must yield to the concerns of

Amish parents that sending their children to public school after the eighth grade exposed the children to influences that undermined their religious faith and religious practices.

Wolman v. Walter (1977) held that the establishment clause (U.S. Const., Amend. I, cl. 1) was not violated by an Ohio law that provided textbooks, testing services, and diagnostic and therapeutic services at state expense to all children, including children attending religious schools. The Supreme Court explained that a general program undertaken to ensure the health and welfare of all children was not unconstitutional simply because the program might provide an indirect benefit to religious schools. However, the Court struck down a provision that reimbursed religious schools for the cost of field trips, because the religious schools determined the purpose and destination of the trips and thus could select such trips based on the support they would lend to the schools' religious precepts.

Woodson v. North Carolina (1976) held that a state may not make the death penalty mandatory upon conviction for a particular offense. The Supreme Court explained that the death penalty is a particularized punishment; it can be imposed only after a jury (or a judge, in some instances) looks at the offender as an individual and at the facts of the crime and at the offender's character and life history.

Yates v. United States (1957) reversed the Smith Act convictions of five Communist Party officials. In reaching its decision, the Supreme Court distinguished between teaching and advocating an idea—the violent overthrow of the U.S. government—and teaching and advocating various concrete violent acts intended to overthrow the government. Speech advocating a violent idea is protected by the free speech clause, while speech advocating violent action is not.

Youngstown Sheet & Tube Co. v. Sawyer (the Steel Seizure Case) (1952) arose when a nationwide strike of steelworkers threatened to shut down the industry at the height of the Korean War. (Steel production was essential to the war effort.) To avert the strike, President Harry S. Truman ordered the secretary of commerce to take over the steel mills and keep them running. The Supreme Court held that the president must relinquish control of the mills because he had exceeded his constitutional authority. The Court specifically held that the president's authority as commander in chief did not justify his action. The Court explained that only Congress could "nationalize" an industry; if Congress did so, the

president, who is constitutionally required to execute the law, would be authorized to seize and operate the mills.

Zemel v. Rusk (1965) placed a national-security limitation on a citizen's right to travel abroad. In this case, a citizen tried to get a visa to travel to Cuba, a Communist country with very tense relations with the United States in the early to mid-1960s. The State Department denied the visa request, and the Supreme Court affirmed, citing the "weightiest considerations of national security" as illustrated by the Cuban missile crisis of 1962 that had the United States on the brink of war with the Soviet Union.

Zorach v. Clauson (1952) upheld a New York City program that allowed students to be released early from school to attend religious classes in church buildings, not in public schools as in *McCollum v. Board of Education* (see above). The Supreme Court explained that all costs of the program were borne by the participating religions and that no public money, no public facility, and no public employee had any involvement with the program.



◀ Scales of Justice

Declaration of Independence

JULY 4, 1776

DELEGATES AT THE SECOND CONTINENTAL CONGRESS faced an enormous task. The war against Great Britain had begun, but to many colonists the purpose for fighting was unclear. As sentiment increased for a complete break with Britain, Congress decided to act. A committee was appointed to prepare a document that declared the thirteen colonies free and independent from Britain. More important, the committee needed to explain why separation was the only fitting solution to long-standing disputes with Parliament and the British Crown. Thomas Jefferson was assigned to write a working draft of this document, which was then revised. It was officially adopted on July 4, 1776. More than any other action of Congress, the Declaration of Independence served to make the American colonists one people.



▲ Liberty Bell



▲ *The Second Continental Congress* by Edward Savage

IN CONGRESS, JULY 4, 1776. THE UNANIMOUS
DECLARATION OF THE THIRTEEN UNITED STATES OF AMERICA,

Preamble

When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.—

Declaration of Natural Rights

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness.—

That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed,—

That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.—

List of Grievances

Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.—

He has refused his Assent to Laws, the most wholesome and necessary for the public good.—

He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.—

He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.—

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public Records, for the sole purpose of fatiguing them into compliance with his measures.—

The printed text of the document shows the spelling and punctuation of the parchment original. To aid in comprehension, selected words and their definitions appear in the side margin, along with other explanatory notes.

impel *force*

endowed *provided*

People create governments to ensure that their natural rights are protected.

If a government does not serve its purpose, the people have a right to abolish it. Then the people have the right and duty to create a new government that will safeguard their security.

Despotism *unlimited power*

usurpations *unjust uses of power*

Each paragraph lists alleged injustices of George III.

relinquish *give up*
inestimable *priceless*

Declaration of Independence

Annihilation *destruction*

convulsions *violent disturbances*

Naturalization of Foreigners
process by which foreign-born persons become citizens

tenure *term*

Refers to the British troops sent to the colonies after the French and Indian War.

Refers to the 1766 Declaratory Act.

quartering *lodging*

Refers to the 1774 Quebec Act.

render *make*

abdicated *given up*

perfidy *violation of trust*

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.—

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the meantime exposed to all the dangers of invasion from without, and convulsions within.—

He has endeavoured to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new Appropriations of Lands.—

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary powers.—

He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.—

He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our people, and eat out their substance.—

He has kept among us, in times of peace, Standing Armies without the Consent of our legislatures.—

He has affected to render the Military independent of and superior to the Civil power.—

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation:—

For quartering large bodies of troops among us:—

For protecting them, by a mock Trial, from punishment for any Murders which they should commit on the Inhabitants of these States:—

For cutting off our Trade with all parts of the world:—

For imposing Taxes on us without our Consent:—

For depriving us in many cases, of the benefits of Trial by Jury:—

For transporting us beyond Seas to be tried for pretended offences:—

For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies:—

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:—

For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.—

He has abdicated Government here, by declaring us out of his Protection and waging War against us.—

He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the Lives of our people.—

He is at this time transporting large Armies of foreign Mercenaries to compleat the works of death, desolation and tyranny, already begun with circumstances of Cruelty & perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.—

He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.—

He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.

In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people.

Nor have We been wanting in attentions to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.—

Resolution of Independence by the United States

We, therefore, the Representatives of the united States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do.—

And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honour.

insurrections *rebellions*

Petitioned for Redress *asked formally for a correction of wrongs*

unwarrantable jurisdiction *unjustified authority*

consanguinity *originating from the same ancestor*

rectitude *rightness*

The signers, as representatives of the American people, declared the colonies independent from Great Britain. Most members signed the document on August 2, 1776.

John Hancock
President from
Massachusetts

Georgia
Button Gwinnett
Lyman Hall
George Walton

North Carolina
William Hooper
Joseph Hewes
John Penn

South Carolina
Edward Rutledge
Thomas Heyward, Jr.
Thomas Lynch, Jr.
Arthur Middleton

Maryland
Samuel Chase
William Paca
Thomas Stone
Charles Carroll
of Carrollton

Virginia
George Wythe
Richard Henry Lee
Thomas Jefferson
Benjamin Harrison
Thomas Nelson Jr.
Francis Lightfoot Lee
Carter Braxton

Pennsylvania
Robert Morris
Benjamin Rush
Benjamin Franklin
John Morton
George Clymer
James Smith
George Taylor
James Wilson
George Ross

Delaware
Caesar Rodney
George Read
Thomas McKean

New York
William Floyd
Philip Livingston
Francis Lewis
Lewis Morris

New Jersey
Richard Stockton
John Witherspoon
Francis Hopkinson
John Hart
Abraham Clark

New Hampshire
Josiah Bartlett
William Whipple
Matthew Thornton

Massachusetts
Samuel Adams
John Adams
Robert Treat Paine
Elbridge Gerry

Rhode Island
Stephen Hopkins
William Ellery

Connecticut
Samuel Huntington
William Williams
Oliver Wolcott
Roger Sherman

Constitution of the United States

*T*he Constitution of the United States is truly a remarkable document. It was one of the first written constitutions in modern history. The Framers wanted to devise a plan for a strong central government that would unify the country, as well as preserve the ideals of the Declaration of Independence. The document they wrote created a representative legislature, the office of president, a system of courts, and a process for adding amendments. For more than 200 years, the flexibility and strength of the Constitution have guided the nation's political leaders. The document has become a symbol of pride and a force for national unity.

The entire text of the Constitution and its amendments follows. For easier study, those passages that have been set aside or changed by the adoption of amendments are printed in blue. Also included are explanatory notes that will help clarify the meaning of each article and section.

◀ The Capitol, Washington, D.C.

Preamble

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

Article I

Section 1

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 2

1. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.
2. No person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.
3. Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, **which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons.** The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; **and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three; Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five,**

The Preamble introduces the Constitution and sets forth the general purposes for which the government was established. The Preamble also declares that the power of the government comes from the people.

The printed text of the document shows the spelling and punctuation of the parchment original.

Article I. The Legislative Branch

Section 1. Congress

The power to make laws is given to a Congress made up of two chambers to represent different interests: the Senate to represent the states; the House to be more responsive to the people's will.

Section 2. House of Representatives

1. **Election and Term of Office** "Electors" means voters. Every two years the voters choose new Congress members to serve in the House of Representatives. The Constitution states that each state may specify who can vote. But the Fifteenth, Nineteenth, Twenty-fourth, and Twenty-sixth Amendments have established guidelines that all states must follow regarding the right to vote.
2. **Qualifications** Representatives must be 25 years old, citizens of the United States for 7 years, and residents of the state they represent.
3. **Division of Representatives Among the States** The number of representatives from each state is based on the size of the state's population. Each state is divided into congressional districts, with each district required to be equal in population. Each state is entitled to at least one representative. The number of representatives in the House was set at 435 in 1929. Since then, there has been a reapportionment of seats based on population shifts rather than on addition of seats.

Only three-fifths of a state's slave population was to be counted in determining the number of representatives elected by the state. Native Americans were not counted at all.

The “enumeration” referred to is the census, the population count taken every 10 years since 1790.

4. **Vacancies** Vacancies in the House are filled through special elections called by the state’s governor.
5. **Officers** The Speaker is the leader of the majority party in the House and is responsible for choosing the heads of various House committees. “Impeachment” means indictment, or bringing charges against an official.

Section 3. The Senate

1. **Number of Members, Terms of Office, and Voting Procedure** Originally, senators were chosen by the state legislators of their own states. The Seventeenth Amendment changed this, so that senators are now elected directly by the people. There are 100 senators, 2 from each state.
2. **Staggered Elections; Vacancies** One-third of the Senate is elected every two years. The terms of the first Senate’s membership was staggered: one group served two years, one four, and one six. All senators now serve a six-year term.
The Seventeenth Amendment changed the method of filling vacancies in the Senate.
3. **Qualifications** Qualifications for the Senate are more restrictive than those for the House. Senators must be at least 30 years old, residents of the states they represent, and citizens of the United States for at least nine years. The Framers of the Constitution made the Senate a more elite body to further check the powers of the House of Representatives.
4. **President of the Senate** The vice president’s only duty listed in the Constitution is to preside over the Senate. The only real power the vice president has is to cast the deciding vote when there is a tie. However, modern presidents have given their vice presidents new responsibilities.
5. **Other Officers** The Senate selects its other officers, including a presiding officer (president pro tempore), who serves when the vice president is absent or has become president of the United States.

New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

4. When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.
5. The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

Section 3

1. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.
2. Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.
3. No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.
4. The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.
5. The Senate shall chuse their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of the President of the United States.

6. The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.
7. Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

Section 4

1. The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of choosing Senators.
2. The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day.

Section 5

1. Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.
2. Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member.

6. Trial of Impeachments When trying a case of impeachment brought by the House, the Senate convenes as a court. The chief justice of the United States acts as the presiding judge, and the Senate acts as the jury. A two-thirds vote of the members present is necessary to convict officials under impeachment charges.

7. Penalty for Conviction If the Senate convicts an official, it may only remove the official from office and prevent that person from holding another federal position. However, the convicted official may still be tried for the same offense in a regular court of law.

Section 4. Elections and Meetings

1. **Holding Elections** In 1842 Congress required members of the House to be elected from districts in states having more than one representative rather than at large. In 1845 it set the first Tuesday after the first Monday in November as the day for selecting presidential electors.
2. **Meetings** The Twentieth Amendment, ratified in 1933, has changed the date of the opening of the regular session of Congress to January 3.

Section 5. Organization and Rules of Procedure

1. Organization Until 1969, Congress acted as the sole judge of qualifications of its own members. In that year, the Supreme Court ruled that Congress could not legally exclude victorious candidates who met all the requirements listed in Article I, Section 2.

A “quorum” is the minimum number of members that must be present for the House or Senate to conduct sessions. For a regular House session, a quorum consists of the majority of the House, or 218 of the 435 members.

2. Rules Each house sets its own rules, can punish its members for disorderly behavior, and can expel a member by a two-thirds vote.

3. **Journals** In addition to the journals, a complete official record of everything said on the floor, as well as the roll call votes on all bills or issues, is available in the *Congressional Record*, published daily by the Government Printing Office.
4. **Adjournment** Neither house may adjourn for more than three days or move to another location without the approval of the other house.

Section 6. Privileges and Restrictions

1. **Pay and Privileges** To strengthen the federal government, the Founders set congressional salaries to be paid by the United States Treasury rather than by members' respective states. Originally, members were paid \$6 per day. Salaries for senators and representatives were \$169,300 beginning in 2008.

The "immunity" privilege means members cannot be sued or prosecuted for anything they say in Congress. They cannot be arrested while Congress is in session, except for treason, major crimes, or breaking the peace.

2. **Restrictions** "Emoluments" means salaries. The purpose of this clause is to prevent members of Congress from passing laws that would benefit them personally. It also prevents the president from promising them jobs in other branches of the federal government.

Section 7. Passing Laws

1. **Revenue Bills** "Revenue" is income raised by the government. The chief source of government revenue is taxes. All tax laws must originate in the House of Representatives. This ensures that the branch of Congress that is elected by the people every two years has the major role in determining taxes. This clause does not prevent the Senate from amending tax bills.
2. **How Bills Become Laws** A bill can become a law only by passing both houses of Congress and by being signed by the president. If the president disapproves, or vetoes, the bill, it is returned to the house where it originated, along with a written statement of the president's objections.

3. Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.
4. Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

Section 6

1. The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.
2. No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been encreased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

Section 7

1. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.
2. Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House

shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

3. Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

Section 8

1. The Congress shall have the Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;
2. To borrow Money on the credit of the United States;
3. To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;
4. To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;
5. To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;
6. To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

If two-thirds of each house approves the bill after the president has vetoed it, it becomes law. In voting to override a president's veto, the votes of all members of Congress must be recorded in the journals or official records. If the president does not sign or veto a bill within 10 days (excluding Sundays), it becomes law. However, if Congress has adjourned during this 10-day period, the bill does not become law. This is known as a "pocket veto."

3. **Presidential Approval or Veto** The Framers included this paragraph to prevent Congress from passing joint resolutions instead of bills to avoid the possibility of a presidential veto. A bill is a draft of a proposed law, whereas a resolution is the legislature's formal expression of opinion or intent on a matter.

Section 8. Powers Granted to Congress

1. **Revenue** This clause gives Congress the power to raise and spend revenue. Taxes must be levied at the same rate throughout the nation.
2. **Borrowing** The federal government borrows money by issuing bonds.
3. **Commerce** The exact meaning of "commerce" has caused controversy. The trend to expand its meaning and, consequently, the extent of Congress's powers have been reversed to some extent since 1995.
4. **Naturalization and Bankruptcy** "Naturalization" refers to the procedure by which a citizen of a foreign nation becomes a citizen of the United States.
5. **Currency** Control over money is an exclusive federal power; the states are forbidden to issue currency.
6. **Counterfeiting** "Counterfeiting" means illegally imitating or forging.

7. **Post Office** In 1970 the United States Postal Service replaced the Post Office Department.
8. **Copyrights and Patents** Under this provision, Congress has passed copyright and patent laws.
9. **Courts** This provision allows Congress to establish a federal court system.
10. **Piracy** Congress has the power to protect American ships on the high seas.
11. **Declare War** While the Constitution gives Congress the right to declare war, the United States has sent troops into combat without a congressional declaration.
12. **Army** This provision reveals the Framers' fears of a standing army.
13. **Navy** This clause allows Congress to establish a navy.
14. **Rules for Armed Forces** Congress may pass regulations that deal with military discipline.
15. **Militia** The "militia" is now called the National Guard. It is organized by the states.
16. **National Guard** Even though the National Guard is organized by the states, Congress has the authority to pass rules for governing its behavior.
17. **Nation's Capital** This clause grants Congress the right to make laws for Washington, D.C.
18. **Elastic Clause** This is the so-called "elastic clause" of the Constitution and one of its most important provisions. The "necessary and proper" laws must be related to one of the 17 enumerated powers.
7. To establish Post Offices and post Roads;
8. To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;
9. To constitute Tribunals inferior to the supreme Court;
10. To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;
11. To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;
12. To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;
13. To provide and maintain a Navy;
14. To make Rules for the Government and Regulation of the land and naval Forces;
15. To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;
16. To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;
17. To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—And
18. To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

Section 9

1. **The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.**
2. The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.
3. No Bill of Attainder or ex post facto Law shall be passed.
4. No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken.
5. No Tax or Duty shall be laid on Articles exported from any State.
6. No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another: nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.
7. No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.
8. No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

Section 10

1. No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

Section 9. Powers Denied to the Federal Government

1. **Slave Trade** This paragraph contains the compromise the Framers reached regarding regulation of the slave trade in exchange for Congress's exclusive control over interstate commerce.
2. **Habeas Corpus** *Habeas corpus* is a Latin term meaning "you may have the body." A writ of habeas corpus issued by a judge requires a government official to bring a prisoner to court and show cause for holding the prisoner. The writ may be suspended only during wartime.
3. **Bills of Attainder** A "bill of attainder" is a bill that punishes a person without a jury trial. An "ex post facto" law is one that makes an act a crime after the act has been committed.
4. **Direct Taxes** The Sixteenth Amendment allowed Congress to pass an income tax.
5. **Tax on Exports** Congress may not tax goods that move from one state to another.
6. **Uniformity of Treatment** This prohibition prevents Congress from favoring one state or region over another in the regulation of trade.
7. **Appropriation Law** This clause protects against the misuse of funds. All of the president's expenditures must be made with the permission of Congress.
8. **Titles of Nobility** This clause prevents the development of a nobility in the United States.

Section 10. Powers Denied to the States

1. **Limitations on Power** The states are prohibited from conducting foreign affairs, carrying on a war, or controlling interstate and foreign commerce. States are also not allowed to pass laws that the federal government is prohibited from passing, such as enacting ex post facto laws or bills of attainder. These restrictions on the states were designed, in part, to prevent an overlapping in functions and authority with the federal government that could create conflict and chaos.

2. **Export and Import Taxes** This clause prevents states from levying duties on exports and imports. If states were permitted to tax imports and exports, they could use their taxing power in a way that weakens or destroys Congress's power to control interstate and foreign commerce.
3. **Duties, Armed Forces, War** This clause prohibits states from maintaining an army or navy and from going to war, except in cases where a state is directly attacked. It also forbids states from collecting fees from foreign vessels or from making treaties with other nations. All of these powers are reserved for the federal government.

Article II. The Executive Branch

Section 1. President and Vice President

1. **Term of Office** The president is given power to enforce the laws passed by Congress. Both the president and the vice president serve four-year terms. The Twenty-second Amendment limits the number of terms the president may serve to two.
2. **Election** The Philadelphia Convention had trouble deciding how the president was to be chosen. The system finally agreed upon was indirect election by "electors" chosen for that purpose. The president and vice president are not directly elected. Instead, the president and vice president are elected by presidential electors from each state who form the electoral college. Each state has a number of presidential electors equal to the total number of its senators and representatives. State legislatures determine how the electors are chosen. Originally, the state legislatures chose the electors, but today they are nominated by political parties and elected by the voters. No senator, representative, or any other federal officeholder can serve as an elector.
3. **Former Method of Election** This clause describes the original method of electing the president and vice president. According to this method, each elector voted for two

2. No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing it's inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports and Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.
3. No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

Article II

Section 1

1. The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows
2. Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.
3. **The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority**

of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this Purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice President.

4. The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.
5. No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.
6. In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.
7. The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be encreased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

candidates. The candidate with the most votes (as long as it was a majority) became president. The candidate with the second-highest number of votes became vice president. In the election of 1800, the two top candidates received the same number of votes, making it necessary for the House of Representatives to decide the election. To prevent such a situation from recurring, the Twelfth Amendment was added in 1804.

4. **Date of Elections** Congress selects the date when the presidential electors are chosen and when they vote for president and vice president. All electors must vote on the same day. The first Tuesday after the first Monday in November has been set as the date for presidential elections. Electors cast their votes on the Monday after the second Wednesday in December.
5. **Qualifications** The president must be a citizen of the United States by birth, at least 35 years old, and a resident of the United States for 14 years. See the Twenty-second Amendment.
6. **Vacancies** If the president dies, resigns, is removed from office by impeachment, or is unable to carry out the duties of the office, the vice president becomes president. (Amendment 25 deals with presidential disability.) If both the president and vice president are unable to serve, Congress has the power to declare by law who acts as president. Congress set the line of succession in the Presidential Succession Act of 1947.
7. **Salary** Originally, the president's salary was \$25,000 per year. The president's current salary of \$400,000 plus a \$50,000 taxable expense account per year was enacted in 1999. The president also receives numerous fringe benefits including a \$100,000 nontaxable allowance for travel and entertainment, and living accommodations in two residences—the White House and Camp David. However, the president cannot receive any other income from the United States government or state governments while in office.

- 8. Oath of Office** The oath of office is generally administered by the chief justice, but can be administered by any official authorized to administer oaths. All presidents-elect except Washington have been sworn into office by the chief justice. Only Vice Presidents John Tyler, Calvin Coolidge, and Lyndon Johnson in succeeding to the office have been sworn in by someone else.

Section 2. Powers of the President

- 1. Military, Cabinet, Pardons** Mention of “the principal officer in each of the executive departments” is the only suggestion of the president’s cabinet to be found in the Constitution. The cabinet is a purely advisory body, and its power depends on the president. Each cabinet member is appointed by the president and must be confirmed by the Senate. This clause also makes the president, a civilian, the head of the armed services. This established the principle of civilian control of the military.
- 2. Treaties and Appointments** The president is the chief architect of American foreign policy. He or she is responsible for the conduct of foreign relations, or dealings with other countries. All treaties, however, require approval of two-thirds of the senators present. Most federal positions today are filled under the rules and regulations of the civil service system. Most presidential appointees serve at the pleasure of the president. Removal of an official by the president is not subject to congressional approval. But the power can be restricted by conditions set in creating the office.
- 3. Vacancies in Offices** The president can temporarily appoint officials to fill vacancies when the Senate is not in session.

Section 3. Duties of the President

Under this provision, the president delivers annual State of the Union messages. On occasion, presidents have called Congress into special session to consider particular problems.

The president’s duty to receive foreign diplomats also includes the power to ask a foreign country to withdraw its diplomatic officials from this country. This is called “breaking diplomatic relations” and often carries with it the implied threat of more drastic action, even war. The

8. Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:—“I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States.”

Section 2

1. The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.
2. He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.
3. The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

Section 3

He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive

Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

Section 4

The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

Article III

Section 1

The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

Section 2

1. The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority; to all Cases affecting Ambassadors, other public Ministers and Consuls; to all Cases of admiralty and maritime Jurisdiction; to Controversies to which the United States shall be a Party; to Controversies between two or more States; between a State and Citizens of another State; between Citizens of different States, between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.
2. In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

president likewise has the power of deciding whether or not to recognize foreign governments.

Section 4. Impeachment

This section states the reasons for which the president and vice president may be impeached and removed from office. (See annotations of Article I, Section 3, Clauses 6 and 7.)

Article III. The Judicial Branch

Section 1. Federal Courts

The term *judicial* refers to courts. The Constitution set up only the Supreme Court but provided for the establishment of other federal courts. Presently nine justices serve on the Supreme Court. Congress has created a system of federal district courts and courts of appeals, which review certain district court cases. Judges of these courts serve during “good behavior,” which means that they usually serve for life or until they choose to retire.

Section 2. Jurisdiction

1. **General Jurisdiction** Use of the words *in law* and *equity* reflects the fact that American courts took over two kinds of traditional law from Great Britain. The basic law was the “common law,” which was based on more than five centuries of judicial decisions. “Equity” was a special branch of British law that was developed to handle cases where common law did not apply.
Federal courts deal mostly with “statute law,” or laws passed by Congress, treaties, and cases involving the Constitution itself. “Admiralty and maritime jurisdiction” covers all sorts of cases involving ships and shipping on the high seas and on rivers, canals, and lakes.
2. **The Supreme Court** When a court has “original jurisdiction” over certain kinds of cases, it means that the court has the authority to be the first court to hear a case. A court with “appellate jurisdiction” hears cases that have been appealed from lower courts. Most Supreme Court cases are heard on appeal from lower courts.

3. **Jury Trials** Except in cases of impeachment, anyone accused of a crime has the right to a trial by jury. The trial must be held in the state where the crime was committed. Jury trial guarantees were strengthened in the Sixth, Seventh, Eighth, and Ninth Amendments.

Section 3. Treason

1. **Definition** Knowing that the charge of treason often had been used by monarchs to get rid of people who opposed them, the Framers of the Constitution defined treason carefully, requiring that at least two witnesses to the same treasonable act testify in court.
2. **Punishment** Congress is given the power to determine the punishment for treason. The children of a person convicted of treason may not be punished, nor may the convicted person's property be taken away from the children. Convictions for treason have been relatively rare in the nation's history.

Article IV. Relations Among the States

Section 1. Official Acts

This provision ensures that each state recognizes the laws, court decisions, and records of all other states. For example, a marriage license or corporation charter issued by one state must be accepted in other states.

Section 2. Mutual Duties of States

1. **Privileges** The "privileges and immunities," or rights of citizens, guarantee each state's citizens equal treatment in all states.
2. **Extradition** "Extradition" means that a person convicted of a crime or a person accused of a crime must be returned to the state where the crime was committed. Thus, a person cannot flee to another state hoping to escape the law.
3. **Fugitive-Slave Clause** Formerly this clause meant that enslaved people could not become free persons by escaping to free states.

3. The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

Section 3

1. Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.
2. The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

Article IV

Section 1

Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

Section 2

1. The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.
2. A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.
3. **No Person held to Service of Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.**

Section 3

1. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.
2. The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

Section 4

The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

Article V

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that **no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article;** and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

Article VI

1. All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

Section 3. New States and Territories

1. **New States** Congress has the power to admit new states. It also determines the basic guidelines for applying for statehood. One state, Maine, was created within the original boundaries of another state (Massachusetts) with the consent of Congress and the state.
2. **Territories** Congress has power over federal land. But neither in this clause nor anywhere else in the Constitution is the federal government explicitly empowered to acquire new territory.

Section 4. Federal Protection for States

This section allows the federal government to send troops into a state to guarantee law and order. The president may send in troops even without the consent of the state government involved.

Article V. The Amending Process

There are now 27 amendments to the Constitution. The Framers of the Constitution deliberately made it difficult to amend the Constitution. Two methods of proposing and ratifying amendments are provided for. A two-thirds majority is needed in Congress to propose an amendment, and at least three-fourths of the states (38 states) must accept the amendment before it can become law. No amendment has yet been proposed by a national convention called by the states, though in the 1980s a convention to propose an amendment requiring a balanced budget was approved by 32 states.

Article VI. National Supremacy

1. **Public Debts and Treaties** This section promised that all debts the colonies had incurred during the Revolution and under the Articles of Confederation would be honored by the new United States government.

2. The Supreme Law The “supremacy clause” recognized the Constitution and federal laws as supreme when in conflict with those of the states. It was largely based on this clause that Chief Justice John Marshall wrote his historic decision in *McCulloch v. Maryland*. The Fourteenth Amendment reinforced the supremacy of federal law over state laws.

3. Oaths of Office This clause also declares that no religious test shall be required as a qualification for holding public office.

Article VII. Ratification of the Constitution

Unlike the Articles of Confederation, which required approval of all thirteen states for adoption, the Constitution required approval of only nine of thirteen states. Thirty-nine of the 55 delegates at the Constitutional Convention signed the Constitution. The Constitution went into effect in June 1788.

2. This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

3. The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

Article VII

The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

Done in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty seven and of the Independence of the United States of America the Twelfth. In witness whereof We have hereunto subscribed our Names,

Signers

George Washington, **President and Deputy from Virginia**

New Hampshire

John Langdon
Nicholas Gilman

Massachusetts

Nathaniel Gorham
Rufus King

Connecticut

William Samuel Johnson
Roger Sherman

New York

Alexander Hamilton

New Jersey

William Livingston
David Brearley
William Paterson
Jonathan Dayton

Pennsylvania

Benjamin Franklin
Thomas Mifflin
Robert Morris
George Clymer
Thomas FitzSimons
Jared Ingersoll
James Wilson
Gouverneur Morris

Delaware

George Read
Gunning Bedford, Jr.
John Dickinson
Richard Bassett
Jacob Broom

Maryland

James McHenry
Daniel of St. Thomas Jenifer
Daniel Carroll

Virginia

John Blair
James Madison, Jr.

North Carolina

William Blount
Richard Dobbs Spaight
Hugh Williamson

South Carolina

John Rutledge
Charles Cotesworth Pinckney
Charles Pinckney
Pierce Butler

Georgia

William Few
Abraham Baldwin

Attest:

William Jackson,
Secretary

Amendment I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Amendment II

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

Amendment III

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

Amendment IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Amendment V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

Amendment 1.

Freedom of Religion, Speech, Press, and Assembly (1791)

The First Amendment protects the civil liberties of individuals in the United States.

Amendment 2.

Bearing Arms (1791)

This amendment is often debated. For many years, some scholars argued it protected only the right of the states to have militias, not an individual's right to own a weapon. In 2008 the Court supported an individual's right to own a weapon by striking down a District of Columbia's ban on handguns, but it said this right was not unlimited.

Amendment 3.

Quartering Troops (1791)

This amendment is based on the principle that people have a right to privacy in their own homes. It also reflects the colonists' grievances against the British for quartering (housing) troops in private homes.

Amendment 4.

Searches and Seizures (1791)

Like the Third Amendment, the Fourth Amendment reflects the colonists' desire to protect their privacy. Britain had used writs of assistance (general search warrants) to seek out smuggled goods. Americans wanted to make sure that such searches and seizures would be conducted only when a judge believed that there was "reasonable cause" to conduct them. The Supreme Court has ruled that evidence seized illegally without a search warrant can not be used in court.

Amendment 5.

Rights of Accused Persons (1791)

It is the function of a grand jury to bring a "presentment" or "indictment," which means to formally charge a person with committing a crime, if enough evidence is found to bring the accused person to trial. A person may not be tried more than once for the same crime (double jeopardy). Members of the armed services are subject to military law. They may be tried in a court martial. In times of war or a natural disaster, civilians can also be put under martial law. The Fifth Amendment also guarantees that

accused persons may refuse to answer questions on the ground that the answers might tend to incriminate them.

Amendment 6. **Right to Speedy, Fair Trial (1791)**

The requirement of a “speedy” trial ensures that an accused person will not be held in jail for a lengthy period as a means of punishing the accused without a trial. A “fair” trial means that the trial must be open to the public and that a jury must hear witnesses and evidence on both sides before deciding the guilt or innocence of a person charged with a crime. This amendment also provides that legal counsel must be provided to a defendant. In 1963 the Supreme Court ruled in *Gideon v. Wainwright* that if a defendant charged with a felony cannot afford to hire a lawyer, the government must provide one.

Amendment 7. **Civil Suits (1791)**

“Common law” means the law established by previous court decisions. In civil cases where one person sues another for more than \$20, a jury trial is provided for. But customarily, federal courts do not hear civil cases unless they involve a good deal more money.

Amendment 8. **Bail and Punishment (1791)**

“Bail” is money that an accused person provides to the court as a guarantee that he or she will be present for a trial. This amendment ensures that neither bail nor punishment for a crime shall be unreasonably severe.

Amendment 9. **Powers Reserved to the People (1791)**

This amendment provides that the people’s rights are not limited to those mentioned in the Constitution.

Amendment 10. **Powers Reserved to the States (1791)**

This amendment protects the states and the people from an all-powerful federal government. It provides that the states or the people retain all powers except those denied them or those specifically granted to the federal government. This “reserved powers” provision is a check on

Amendment VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining Witnesses in his favor, and to have the assistance of counsel for his defence.

Amendment VII

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any Court of the United States, than according to the rules of common law.

Amendment VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Amendment IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Amendment X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Amendment XI

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

Amendment XII

The electors shall meet in their respective states and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they

shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;—The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. **And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.** The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

Amendment XIII

Section 1

Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

the “necessary and proper” power of the federal government provided in the “elastic clause” in Article I, Section 8, Clause 18.

Amendment 11. Suits Against States (1795)

This amendment provides that a lawsuit brought by a citizen of the United States or a foreign nation against a state must be tried in a state court, not in a federal court. This amendment was passed after the Supreme Court ruled that a federal court could try a lawsuit brought by citizens of South Carolina against a citizen of Georgia. This case, *Chisholm v. Georgia*, decided in 1793, was protested by many Americans, who insisted that states would lose authority if they could be sued in federal courts.

Amendment 12. Election of President and Vice President (1804)

This amendment changes the procedure for electing the president and vice president as outlined in Article II, Section 1, Clause 3.

To prevent the recurrence of the election of 1800 whereby a candidate running for vice president (Aaron Burr) could tie a candidate running for president (Thomas Jefferson) and thus force the election into the House of Representatives, the Twelfth Amendment specifies that the electors are to cast separate ballots for each office. The votes for each office are counted and listed separately. The results are signed, sealed, and sent to the president of the Senate. At a joint session of Congress, the votes are counted. The candidate who receives the most votes, providing it is a majority, is elected president. Other changes include: (1) a reduction from the five to three candidates receiving the most votes among whom the House is to choose if no candidate receives a majority of the electoral votes, and (2) provision for the Senate to choose the vice president from the two highest candidates if neither has received a majority of the electoral votes.

The Twelfth Amendment places one restriction on electors. It prohibits electors from voting for two candidates (president and vice president) from their home state.

Amendment 13. **Abolition of Slavery (1865)**

This amendment was the final act in ending slavery in the United States. It also prohibits the binding of a person to perform a personal service due to debt. In addition to imprisonment for crime, the Supreme Court has held that the draft is not a violation of the amendment.

This amendment is the first adopted to be divided into sections. It is also the first to contain specifically a provision granting Congress power to enforce it by appropriate legislation.

Amendment 14. **Rights of Citizens (1868)**

The clauses of this amendment were intended (1) to penalize Southern states that refused to grant all citizens the vote, (2) to keep former Confederate leaders from serving in government, (3) to forbid payment of the Confederacy's debt by the federal government, and (4) to ensure payment of the war debts owed the federal government.

Section 1. Citizenship Defined By granting citizenship to all persons born in the United States, this amendment granted citizenship to former slaves. The amendment also guaranteed "due process of law." By the 1950s, Supreme Court rulings used the due process clause to protect civil liberties. The last part of Section 1 establishes the doctrine that all citizens are entitled to equal protection of the laws. In 1954 the Supreme Court ruled, in *Brown v. Board of Education of Topeka*, that segregation in public schools was unconstitutional because it denied equal protection.

Section 2. Representation in Congress This section reduced the number of members a state had in the House of Representatives if it denied its citizens the right to vote. This section was not implemented, however. Later civil rights laws and the Twenty-fourth Amendment guaranteed the vote to African Americans.

Section 3. Penalty for Engaging in Insurrection The leaders of the Confederacy were barred from state or federal offices unless Congress agreed to revoke this ban. By the end of Reconstruction, all but a few Confederate leaders were allowed to return to public life.

Section 2

Congress shall have power to enforce this article by appropriate legislation.

Amendment XIV

Section 1

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section 2

Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Section 3

No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

Section 4

The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for service in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

Section 5

The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

Amendment XV

Section 1

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Section 2

The Congress shall have power to enforce this article by appropriate legislation.

Amendment XVI

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States and without regard to any census or enumeration.

Amendment XVII

Section 1

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

Section 4. Public Debt The public debt incurred by the federal government during the Civil War was valid and could not be questioned by the South. However, the debts of the Confederacy were declared to be illegal. In addition, former slaveholders could not collect compensation for the loss of their slaves.

Section 5. Enforcement Congress was empowered to pass civil rights bills to guarantee the provisions of the amendment.

Amendment 15. The Right to Vote (1870)

Section 1. Suffrage for All Citizens The Fifteenth Amendment replaced Section 2 of the Fourteenth Amendment in guaranteeing all citizens the right to vote; that is, the right to vote was not to be left to the states. Despite this prohibition, African Americans as well as other groups, including Hispanics and Asians, were often denied the right to vote by such means as poll taxes, literacy tests, and white primaries.

Section 2. Enforcement Congress was given the power to enforce this amendment. During the 1950s and 1960s, it passed successively stronger laws to end racial discrimination in voting rights.

Amendment 16. Income Tax (1913)

The origins of this amendment went back to 1895, when the Supreme Court declared a federal income tax unconstitutional. To overcome this Supreme Court decision, this amendment authorized an income tax that was levied on a direct basis.

Amendment 17. Direct Election of Senators (1913)

Section 1. Method of Election The right to elect senators was given directly to the people of each state. It replaced Article I, Section 3, Clause 1, which empowered state legislatures to elect senators. This amendment was designed not only to make the choice of senators more democratic but also to cut down on corruption and to improve state government.

Constitution of the United States

Section 2. Vacancies A state must order an election to fill a Senate vacancy. A state may empower its governor to appoint a person to fill a Senate seat if a vacancy occurs until an election can be held.

Section 3. Time in Effect This amendment was not to affect any Senate election or temporary appointment until it was in effect.

Amendment 18. **Prohibition of Alcoholic Beverages (1919)**

This amendment prohibited the production, sale, or transportation of alcoholic beverages in the United States. This amendment was later repealed by the Twenty-first Amendment.

Amendment 19. **Woman Suffrage (1920)**

This amendment, extending the vote to all qualified women in federal and state elections, was a landmark victory for the woman suffrage movement, which had worked to achieve this goal for many years. The women's movement had earlier gained full voting rights for women in four Western states in the late nineteenth century.

Section 2

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

Section 3

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

Amendment XVIII

Section 1

After one year from ratification of this article, the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

Section 2

The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

Section 3

This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

Amendment XIX

Section 1

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Section 2

Congress shall have power by appropriate legislation to enforce the provisions of this article.

Amendment XX

Section 1

The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of the Senators and Representatives at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

Section 2

The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3d day of January, unless they shall by law appoint a different day.

Section 3

If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

Section 4

The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

Section 5

Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

Section 6

This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of

Amendment 20.

“Lame-Duck” Amendment (1933)

Section 1. New Dates of Terms This amendment had two major purposes: (1) to shorten the time between the president's and vice president's election and inauguration, and (2) to end “lame-duck” sessions of Congress.

When the Constitution first went into effect, transportation and communication were slow and uncertain. It often took many months after the election in November for the president and vice president to travel to Washington, D.C., and prepare for their inauguration on March 4. This amendment ended this long wait for a new administration by fixing January 20 as Inauguration Day.

Section 2. Meeting Time of Congress “Lame-duck” sessions occurred every two years, after the November congressional election. That is, the Congress that held its session in December of an election year was not the newly elected Congress but the old Congress that had been elected two years earlier. This Congress continued to serve for several more months, usually until March of the next year. Often many of its members had failed to be reelected and were called “lame-ducks.” The Twentieth Amendment abolished this lame-duck session, and provided that the new Congress hold its first session soon after the November election, on January 3.

Section 3. Succession of President and Vice President This amendment provides that if the president-elect dies before taking office, the vice president-elect becomes president. In the cases described, Congress will decide on a temporary president.

Section 4. Filling Presidential Vacancy If a presidential candidate dies while an election is being decided in the House, Congress may pass legislation to deal with the situation. Congress has similar power if this occurs when the Senate is deciding a vice-presidential election.

Section 5. Beginning the New Dates Sections 1 and 2 affected the Congress elected in 1934 and President Roosevelt, elected in 1936.

Section 6. Time Limit on Ratification The period for ratification by the states was limited to seven years.

Amendment 21. **Repeal of Prohibition Amendment (1933)**

This amendment nullified the Eighteenth Amendment. It is the only amendment ever passed to overturn an earlier amendment. It remained unlawful to transport alcoholic beverages into states that forbade their use. It is the only amendment ratified by special state conventions instead of state legislatures.



Amendment 22. **Limit on Presidential Terms (1951)**

This amendment wrote into the Constitution a custom started by Washington, Jefferson, and Madison, whereby presidents limited themselves to two terms in office. Although both Ulysses S. Grant and Theodore Roosevelt sought third terms, the two-term precedent was not broken until Franklin D. Roosevelt was elected to a third term in 1940 and then a fourth term in 1944. The passage of the Twenty-second Amendment ensures that no president is to be considered indispensable. It also provides that anyone who succeeds to the presidency and serves for more than two years of the term may not be elected more than one more time.

the several States within seven years from the date of its submission.

Amendment XXI

Section 1

The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

Section 2

The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

Section 3

This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

Amendment XXII

Section 1

No person shall be elected to the office of the President more than twice, and no person who had held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.

Section 2

This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress.

Amendment XXIII

Section 1

The District constituting the seat of Government of the United States shall appoint in such manner as the Congress may direct:

A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

Section 2

The Congress shall have power to enforce this article by appropriate legislation.

Amendment XXIV

Section 1

The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

Section 2

The Congress shall have power to enforce this article by appropriate legislation.

Amendment XXV

Section 1

In case of the removal of the President from office or his death or resignation, the Vice President shall become President.

Amendment 23.

Presidential Electors for the District of Columbia (1961)

This amendment granted people living in the District of Columbia the right to vote in presidential elections. The District casts three electoral votes. The people of Washington, D.C., still are without representation in Congress.

Amendment 24.

Abolition of the Poll Tax (1964)

A “poll tax” was a fee that persons were required to pay in order to vote in a number of Southern states. This amendment ended poll taxes as a requirement to vote in any presidential or congressional election. In 1966 the Supreme Court voided poll taxes in state elections as well.

Amendment 25.

Presidential Disability and Succession (1967)

Section 1. Replacing the President The vice president becomes president if the president dies, resigns, or is removed from office.

Section 2. Replacing the Vice President The president is to appoint a new vice president in case of a vacancy in that office, with the approval of the Congress.

The Twenty-fifth Amendment is unusually precise and explicit because it was intended to solve a serious constitutional problem. Sixteen times in American history, before passage of this amendment, the office of vice president was vacant, but fortunately in none of these cases did the president die or resign.

This amendment was used in 1973, when Vice President Spiro Agnew resigned from office after being charged with accepting bribes. President Richard Nixon then appointed Gerald R. Ford as vice president in accordance with the provisions of the Twenty-fifth Amendment. A year later, President Nixon resigned during the Watergate scandal, and Ford became president. President Ford then had to fill the vice presidency, which he had left vacant upon assuming the presidency. He named Nelson A. Rockefeller as vice president. Thus, both the presidency and vice presidency were held by men who had not been elected to their offices.

Section 3. Replacing the President With Consent If the president informs Congress, in writing, that he or she cannot carry out the duties of the office of president, the vice president becomes acting president.

Section 4. Replacing the President Without Consent If the president is unable to carry out the duties of the office but is unable or unwilling to so notify Congress, the cabinet and the vice president are to inform Congress of this fact. The vice president then becomes acting president. The procedure by which the president may regain the office if he or she recovers is also spelled out in this amendment.

Section 2

Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take the office upon confirmation by a majority vote of both Houses of Congress.

Section 3

Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

Section 4

Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the power and duties of the office of Acting President.

Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the power and duties of his office.

Amendment XXVI

Section 1

The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

Section 2

The Congress shall have power to enforce this article by appropriate legislation.

Amendment XXVII

No law, varying the compensation for the services of Senators and Representatives, shall take effect, until an election of representatives shall have intervened.

Amendment 26. Eighteen-Year-Old Vote (1971)

This amendment made 18-year-olds eligible to vote in all federal, state, and local elections. Until then, the minimum age had been 21 in most states.

Amendment 27. Restraint on Congressional Salaries (1992)

Any increase in the salaries of members of Congress will take effect in the subsequent session of Congress.



▲ Joint session of Congress

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The Code of Hammurabi

Hammurabi, a Mesopotamian ruler, developed his code of laws around 1700 B.C. This development of written law was a major advance toward justice and order.

Anu and Bel called by name me, Hammurabi, the exalted prince, who feared God, to bring about the rule of righteousness in the land, to destroy the wicked and the evil-doers; so that the strong should not harm the weak; so that I should . . . further the well-being of mankind. . . .

2. If any one bring an accusation against a man, and the accused go to the river and leap into the river, if he sink in the river his accuser shall take possession of his house. But if the river prove that the accused is not guilty, and he escape unhurt, then he who had brought the accusation shall be put to death, while he who leaped into the river shall take possession of the house that had belonged to his accuser. . . .
8. If any one steal cattle or sheep, or an ass, or a pig or a goat, if it belong to a god or to the court, the thief shall pay thirtyfold therefor; if they belonged to a freed man of the king he shall pay tenfold; if the thief has nothing with which to pay he shall be put to death. . . .
21. If any one break a hole into a house (break in to steal), he shall be put to death before that hole and be buried.
22. If any one is committing a robbery and is caught, then he shall be put to death.
23. If the robber is not caught, then shall he who was robbed claim under oath the amount of his loss; then shall the community, and . . . on whose ground and territory and in whose domain it was compensate him for the goods stolen. . . .
53. If any one be too lazy to keep his dam in proper condition, and does not so keep it; if then the dam break and all the fields be flooded, then shall he in whose dam the break occurred be sold for money, and the money shall replace the corn which he has caused to be ruined. . . .

(continued)

The Code of Hammurabi

117. If any one fail to meet a claim for debt, and sell himself, his wife, his son, and daughter for money or give them away to forced labor: they shall work for three years in the house of the man who bought them, or the proprietor, and in the fourth year they shall be set free. . . .

136. If any one leave his house, run away, and then his wife go to another house, if then he return, and wishes to take his wife back: because he fled from his home and ran away, the wife of this runaway shall not return to her husband. . . .

142. If a woman quarrel with her husband . . . the reasons for her prejudice must be presented. If she is guiltless, and there is no fault on her part, but he leaves and neglects her, then no guilt attaches to this woman, she shall take her dowry and go back to her father's house.

143. If she is not innocent, but leaves her husband. . . this woman shall be cast into the water. . . .

195. If a son strike his father, his hands shall be hewn off.

196. If a man put out the eye of another man, his eye shall be put out.

197. If he break another man's bone, his bone shall be broken. . . .

199. If he put out the eye of a man's slave, or break the bone of a man's slave, he shall pay one-half of its value.

200. If a man knock out the teeth of his equal, his teeth shall be knocked out. . . .

202. If any one strike the body of a man higher in rank than he, he shall receive sixty blows with an ox-whip in public. . . .

215. If a physician make a large incision with an operating knife and cure it, or if he open a tumor (over an eye) with an operating knife, and saves the eye, he shall receive ten shekels in money. . . .

218. If a physician make a large incision with the operating knife, and kill him, or open a tumor with the operating knife, and cut out the eye, his hands shall be cut off. . . .

229. If a builder build a house for some one, and does not construct it properly, and the house which he built fall in and kill its owner, then that builder shall be put to death. . . .



▲ Ruins of ancient Babylon

Laws of justice which Hammurabi, the wise king, established. A righteous law, and pious statute did he teach the land. Hammurabi, the protecting king am I. . . . The king who ruleth among the kings of the cities am I. My words are well considered; there is no wisdom like unto mine. By the command of Shamash, the great judge of heaven and earth, let righteousness go forth in the land. . . .

The Magna Carta

The Magna Carta, signed by King John in 1215, marked a decisive step forward in the development of constitutional government in England. Later it served as a model for colonists who carried its guarantees of legal and political rights to America.

John, by the grace of God, king of England, lord of Ireland, duke of Normandy and Aquitaine, and count of Anjou: to the archbishops, bishops, abbots, earls, barons, justiciaries, foresters, sheriffs, reeves, ministers, and all bailiffs and others his faithful subjects, greeting. . . .

1. We have, in the first place, granted to God, and by this our present charter confirmed for us and our heirs forever that the English church shall be free. . . .
9. Neither we nor our bailiffs shall seize any land or rent for any debt so long as the debtor's chattels are sufficient to discharge the same. . . .
12. No scutage [tax] or aid [subsidy] shall be imposed in our kingdom unless by the common counsel thereof. . . .
14. For obtaining the common counsel of the kingdom concerning the assessment of aids . . . or of scutage, we will cause to be summoned, severally by our letters, the archbishops, bishops, abbots, earls, and great barons; we will also cause to be summoned generally, by our sheriffs and bailiffs, all those who hold lands directly of us, to meet on a fixed day . . . and at a fixed place. . . .
20. A free man shall be amerced [punished] for a small fault only according to the measure thereof, and for a great crime according to its magnitude. . . . None of these amercements shall be imposed except by the oath of honest men of the neighborhood.
21. Earls and barons shall be amerced only by their peers, and only in proportion to the measure of the offense. . . .
38. In the future no bailiff shall upon his own unsupported accusation put any man to trial without producing credible witnesses to the truth of the accusation.
39. No free man shall be taken, imprisoned, disseised [seized], outlawed, banished, or in any way destroyed, nor will we proceed against or prosecute him, except by the lawful judgment of his peers and by the law of the land.
40. To no one will we sell, to none will we deny or delay, right or justice. . . .
42. In the future it shall be lawful . . . for anyone to leave and return to our kingdom safely and securely by land and water, saving his fealty to us. Excepted are those who have been imprisoned or outlawed according to the law of the land. . . .
61. Whereas we, for the honor of God and the amendment of our realm, and in order the better to allay the discord arisen between us and our barons, have granted all these things aforesaid. . . .
63. Wherefore we will, and firmly charge . . . that all men in our kingdom shall have and hold all the aforesaid liberties, rights, and concessions . . . fully, and wholly to them and their heirs. . . in all things and places forever It is moreover sworn, as well on our part as on the part of the barons, that all these matters aforesaid will be kept in good faith and without deceit. Witness the abovenamed and many others. Given by our hand in the meadow which is called Runnymede. . . .

The English Bill of Rights

In 1689 William of Orange and his wife, Mary, became joint rulers of England after accepting what became known as the Bill of Rights. This document assured the people of certain basic civil rights.



▲ Seal of William and Mary

An act declaring the rights and liberties of the subject and settling the succession of the crown. Whereas the lords spiritual and temporal and commons assembled at Westminster lawfully fully and freely representing all the estates of the people of this realm did upon the thirteenth day of February in the year of our Lord one thousand six hundred eight-eight [-nine] present unto their majesties . . . William and Mary prince and princess of Orange . . . a certain declaration in writing made by the said lords and commons in the words following viz

Whereas the late king James the second by the assistance of divers evil counsellors judges and ministers employed by him did endeavor to subvert and extirpate the protestant religion and the laws and liberties of this kingdom.

By assuming and exercising a power of dispensing with and suspending of laws and the execution of laws without consent of parliament. . . .

By levying money for and to the use of the crown by pretence of prerogative for other time and in other manner than the same was granted by parliament.

By raising and keeping a standing army within this kingdom in time of peace without consent of parliament and quartering soldiers contrary to law. . . .

By violating the freedom of election of members to serve in parliament. . . .

And excessive bail hath been required of persons committed in criminal cases to elude the benefit of the laws made for the liberty of the subjects.

And excessive fines have been imposed.

And illegal and cruel punishments inflicted. . . .

And thereupon the said lords spiritual and temporal and commons . . . do . . . declare

That the pretended power of suspending of laws or the execution of laws by regal authority without consent of parliament is illegal. . . .

That levying money for or to the use of the crown . . . without grant of parliament for longer time or in other manner than the same is or shall be granted is illegal.

That it is the right of the subjects to petition the king and all commitments and prosecutions for such petitioning are illegal.

That the raising or keeping a standing army within the kingdom in time of peace unless it be with consent of parliament is against law. . . .

That election of members of parliament ought to be free. . . .

That excessive bail ought not to be required nor excessive fines imposed nor cruel and unusual punishments inflicted. . . .

The said lords . . . do resolve that William and Mary prince and princess of Orange be and be declared king and queen of England France and Ireland. . . .

The Mayflower Compact

On November 21, 1620, 41 men aboard the Mayflower drafted this agreement. The Mayflower Compact was the first plan of self-government ever put in force in the English colonies. The original compact has been lost. Mourt's Relation (1622) is the earliest source of the text reprinted here.

This day, before we came to harbor, observing some not well affected to unity and concord, but gave some appearance of faction, it was thought good there should be an association and agreement that we should combine together in one body, and to submit to such government and governors as we should by common consent agree to make and choose, and set our hands to this that follows word for word.

In the name of God, Amen. We whose names are underwritten, the loyal subjects of our dread sovereign lord, King James, by the grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, etc.

Having undertaken for the glory of God, and advancement of the Christian faith and honor of our king and country, a voyage to plant the first colony in the northern parts of Virginia, do by these present, solemnly and mutually, in the presence of God and one of another, covenant and combine ourselves together into a civil body politic, for our better ordering and preservation and furtherance of the ends aforesaid; and by virtue hereof to

enact, constitute, and frame such just and equal laws, ordinances, acts, constitutions, offices from time to time as shall be thought most meet and convenient for the general good of the colony; unto which we promise all due submission and obedience. In witness whereof we have hereunder subscribed our names, Cape Cod, 11th of November, in the year of the reign of our sovereign lord, King James, of England, France, and Ireland 18, and of Scotland 54. Anno Domini 1620.



▲ *Signing of the Compact on the Mayflower* by Edward Percy Moran, c. 1900

Fundamental Orders of Connecticut

In January 1639, settlers in Connecticut, led by Thomas Hooker, drew up the Fundamental Orders of Connecticut—America's first written constitution. It is essentially a compact among the settlers and a body of laws.

Forasmuch as it has pleased the Almighty God by the wise disposition of His Divine Providence so to order and dispose of things that we, the inhabitants and residents of Windsor, Hartford, and Wethersfield are now cohabiting and dwelling in and upon the river of Conectecotte and the lands thereunto adjoining; and well knowing where a people are gathered together the Word of God requires that, to maintain the peace and union of such a people, there should be an orderly and decent government established according to God, . . . do therefore associate and conjoin ourselves to be as one public state or commonwealth. . . . As also in our civil affairs to be guided and governed according to such laws, rules, orders, and decrees as shall be made, ordered, and decreed, as follows:

1. It is ordered . . . that there shall be yearly two general assemblies or courts; . . . The first shall be called the Court of Election, wherein shall be yearly chosen . . . so many magistrates and other public officers as shall be found requisite. Whereof one to be chosen governor . . . and no other magistrate to be chosen for more than one year; provided always there be six chosen besides the governor . . . by all that are admitted freemen and have taken the oath of fidelity, and do cohabit within this jurisdiction. . . .
4. It is ordered . . . that no person be chosen governor above once in two years, and that the governor be always a member of some approved congregation, and formerly of the magistracy within this jurisdiction; and all the magistrates freemen of this Commonwealth. . . .
5. It is ordered . . . that to the aforesaid Court of Election the several towns shall send their deputies. . . . Also, the other General Court . . . shall be for making of laws, and any other public occasion which concerns the good of the Commonwealth. . . .
7. It is ordered . . . that . . . the constable or constables of each town shall forthwith give notice distinctly to the inhabitants of the same . . . that . . . they meet and assemble themselves together to elect and choose certain deputies to be at the General Court then following to [manage] the affairs of the Commonwealth; which said deputies shall be chosen by all that are admitted inhabitants in the several towns and have taken the oath of fidelity. . . .
10. It is ordered . . . that every General Court . . . shall consist of the governor, or someone chosen to moderate the Court, and four other magistrates, at least, with the major part of the deputies of the several towns legally chosen. . . . In which said General Courts shall consist the supreme power of the Commonwealth, and they only shall have power to make laws or repeal them, to grant levies, to admit of freemen, dispose of lands undisposed of to several towns or person, and also shall have power to call either Court or magistrate or any other person whatsoever into question for any misdemeanor. . . .

In which Court, the governor or moderator shall have power to order the Court to give liberty of speech, . . . to put all things to vote, and, in case the vote be equal, to have the casting voice. . . .

Two Treatises of Government

John Locke's Two Treatises of Government was published in 1690. The "Second Treatise of Government" states his belief that government is based on an agreement between the people and ruler.



▲ John Locke

Of the State of Nature.

To understand Political Power right, and to derive it from its Original, we must consider what State all Men are naturally in, and that is, a State of perfect Freedom to order their Actions, and dispose of their Possessions, and Persons as they think fit, within the bounds of the Law of Nature, without asking leave, or depending upon the Will of any other Man.

A State also of Equality, wherein all the Power and Jurisdiction is reciprocal, no one having more than another. . . .

Of the Beginning of Political Societies.

Men being, as has been said, by Nature, all free, equal and independent, no one can be put out of this Estate, and subjected to the Political Power of another, without his own Consent. The only way whereby any one divests himself of his Natural Liberty, and puts on the bonds of Civil Society is by agreeing with other Men to joyn and unite into a Community, for their comfortable, safe, and peaceable living one amongst another, in a secure Enjoyment of their properties, and a greater Security against any that are not of it. This any number of Men may do, because it injures not the Freedom of the rest; they are left as they were in the Liberty of the State of Nature. . . .

For when any number of Men have, by the consent of every individual, made a Community, they have thereby made that Community one Body, with a Power to Act as one Body, which is only by the will and determination of the majority. . . .

Whosoever therefore out of a state of Nature unite into a Community, must be understood to give up all the power, necessary to the ends for which they unite into Society, to the majority of the Community. . . .

Of the Dissolution of Government.

. . . Governments are dissolved from within . . . when the Legislative is altered. . . . First, that when such a single Person or Prince sets up his own Arbitrary Will in place of the Laws, which are the Will of the Society, declared by the Legislative, then the Legislative is changed. . . . Secondly, when the Prince hinders the legislative from . . . acting freely, pursuant to those ends, for which it was Constituted, the Legislative is altered. . . . Thirdly, When by the Arbitrary Power of the Prince, the Electors, or ways of Election are altered, without the Consent, and contrary to the common Interest of the People, there also the Legislative is altered. . . .

In these and the like Cases, when the Government is dissolved, the People are at liberty to provide for themselves, by erecting a new Legislative, differing from the other, by the change of Persons, or Form, or both as they shall find it most for their safety and good. For the Society can never, by the fault of another, lose the Native and Original Right it has to preserve itself. . . .

The Wealth of Nations

Adam Smith, a Scottish economist and philosopher, published An Inquiry into the Nature and Causes of the Wealth of Nations in 1776. The book offered a detailed description of life and trade in English society. It also scientifically described the basic principles of economics for the first time.

But it is only for the sake of profit that any man employs a capital in the support of industry; and he will always, therefore, endeavour to employ it in the support of that industry of which the produce is likely to be of the greatest value, or to exchange for the greatest quantity either of money or of other goods. . . .

As every individual, therefore, endeavours as much as he can both to employ his capital in the support of domestic industry, and so to direct that industry that its produce may be of the greatest value; every individual necessarily labours to render the annual revenue of the society as great as he can. He generally, indeed, neither intends to promote the public interest, nor knows how much he is promoting it. . . . By pursuing his own interest he frequently promotes that of the society more effectually than when he really intends to promote it. . . .

What is the species of domestic industry which his capital can employ, and of which the produce is likely to be of the greatest value, every individual, it is evident, can, in his local situation, judge much better than any statesman or lawgiver can do for him. . . .

To give the monopoly of the home-market to the produce of domestic industry, in any particular art or manufacture, is in some measure to direct private people in what manner they ought to employ their capitals, and must, in almost all cases, be either a useless or a hurtful regulation. If the produce of domestic can be brought there as cheap as that of foreign industry, the regulation is evidently useless. If it cannot, it must generally be hurtful. It is the maxim of every prudent master of a family, never to attempt to make at home what it will cost him more to make than to buy. The taylor does not attempt to make his own shoes, but buys them of the shoemaker. The shoemaker does not attempt to make his own clothes, but employs a taylor. The farmer attempts to make neither the one nor the other, but employs those different artificers. All of them find it in their interest to employ their whole industry in a way in which they have some advantage over their neighbours, and to purchase with a part of its produce . . . whatever else they have occasion for.

What is prudence in the conduct of every private family, can scarcely be folly in that of a great kingdom. If a foreign country can supply us with a commodity cheaper than we ourselves can make it, better buy it of them with some part of the produce of our own industry, employed in a way in which we have some advantage. . . . It is certainly not employed to the greatest advantage, when it is thus directed towards an object which it can buy cheaper than it can make.



▲ Adam Smith

Articles of Confederation

In 1776, Richard Henry Lee moved that Congress appoint a committee to draw up articles of confederation among the states. One member of each state was selected. The committee of state delegates revised and adopted John Dickinson's plan of union in 1781.

*Articles of Confederation and Perpetual Union
Between the States of New Hampshire,
Massachusetts Bay, Rhode Island and Providence
Plantations, Connecticut, New York, New Jersey,
Pennsylvania, Delaware, Maryland, Virginia, North
Carolina, South Carolina, and Georgia.*

Article I. The style of this confederacy shall be "The United States of America."

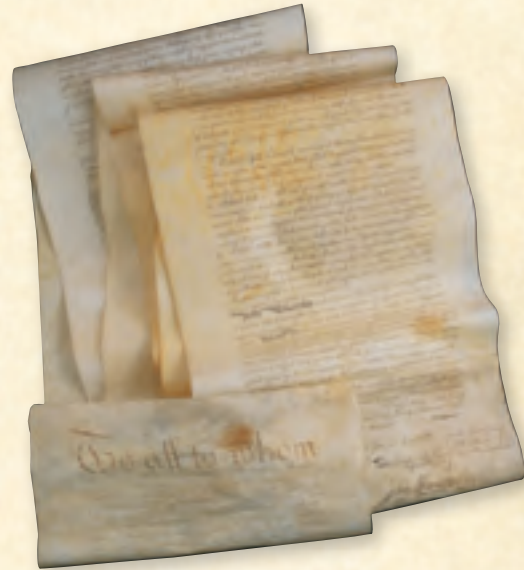
Article II. Each state retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right which is not by this confederation expressly delegated to the United States in Congress assembled.

Article III. The said states hereby severally enter into a firm league of friendship with each other, for their common defense, the security of their liberties, and their mutual and general welfare, binding themselves to assist each other against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretense whatever.

Article IV. The better to secure and perpetuate mutual friendship and intercourse among the people of the different states in this union, the free inhabitants of each of these states, paupers, vagabonds, and fugitives from justice excepted, shall be entitled to all privileges and immunities of free citizens in the several states; and the people of each state shall have free ingress and regress to and from any other state and shall enjoy therein all the privileges of trade and commerce, subject to the same duties, impositions, and restrictions as the inhabitants thereof respectively, provided that such restrictions shall not extend so far as to prevent the removal of property imported into any state, to any other state of which the owner is an inhabitant; provided also that no imposition, duties, or restriction shall be laid by any state on the property of the United States, or either of them.

If any person guilty of or charged with treason, felony, or other high misdemeanor in any state shall flee from justice, and be found in any of the United States, he shall, upon demand of the governor or executive power of the state from which he fled, be delivered up and removed to the state having jurisdiction of his offense.

Full faith and credit shall be given in each of these states to the records, acts, and judicial proceedings of the courts and magistrates of every other state.



▲ The Articles of Confederation

(continued)

Articles of Confederation

Article V. For the more convenient management of the general interests of the United States, delegates shall be annually appointed in such manner as the legislature of each state shall direct, to meet in Congress on the first Monday in November, in every year, with a power reserved to each state to recall its delegates, or any of them, at any time within the year and to send others in their stead for the remainder of the year.

No state shall be represented in Congress by less than two nor by more than seven members; and no person shall be capable of being a delegate for more than three years in any term of six years; nor shall any person, being a delegate, be capable of holding any office under the United States for which he, or another for his benefit, receives any salary, fees, or emolument of any kind.

Each state shall maintain its own delegates in a meeting of the states and while they act as members of the Committee of the States.

In determining questions in the United States in Congress assembled, each state shall have one vote.

Freedom of speech and debate in Congress shall not be impeached or questioned in any court or place out of Congress, and the members of Congress shall be protected in their persons from arrests and imprisonments during the time of their going to and from, and attendance on, Congress, except for treason, felony, or breach of the peace.

Article VI. No state, without the consent of the United States in Congress assembled, shall send any embassy to, or receive any embassy from, or enter into any conference, agreement, alliance, or treaty with any king, prince, or state; nor shall any person holding any office of profit or trust under the United States, or any of them, accept of any present, emolument, office, or title of any kind whatever from any king, prince, or foreign state; nor shall the United States in Congress assembled, or any of them, grant any title of nobility.

No two or more states shall enter into any treaty, confederation, or alliance whatever between them without the consent of the United States in Congress assembled, specifying accurately the purposes for which the same is to be entered into and how long it shall continue.

No state shall lay any imposts or duties which may interfere with any stipulations in treaties entered into by the United States in Congress assembled with any king, prince, or state, in pursuance of any treaties already proposed by Congress, to the courts of France and Spain.

No vessels of war shall be kept up in time of peace by any state except such number only as shall be deemed necessary by the United States in Congress assembled for the defense of such state or its trade; nor shall any body of forces be kept up by any state in time of peace except such number only as in the judgment of the United States in Congress assembled shall be deemed requisite to garrison the forts necessary for the defense of such state; but every state shall always keep up a well-regulated and disciplined militia, sufficiently armed and accoutered, and shall provide and constantly have ready for use, in public stores, a due number of field pieces and tents and a proper quantity of arms, ammunition, and camp equipage.

No state shall engage in any war without the consent of the United States in Congress assembled unless such state be actually invaded by enemies, or shall have received certain advice of a resolution being formed by some nation of Indians to invade such state, and the danger is so imminent as not to admit of a delay till the United States in Congress assembled

Articles of Confederation

(continued)

can be consulted; nor shall any state grant commissions to any ships or vessels of war, nor letters of marque or reprisal, except it be after a declaration of war by the United States in Congress assembled, and then only against the kingdom or state and the subjects thereof against which war has been so declared and under such regulations as shall be established by the United States in Congress assembled, unless such state be infested by pirates, in which case vessels of war may be fitted out for that occasion and kept so long as the danger shall continue or until the United States in Congress assembled shall determine otherwise.

Article VII. When land forces are raised by any state for the common defense, all officers of or under the rank of colonel shall be appointed by the legislature of each state respectively, by whom such forces shall be raised, or in such manner as such state shall direct, and all vacancies shall be filled up by the state which first made the appointment.

Article VIII. All charges of war and all other expenses that shall be incurred for the common defense or general welfare, and allowed by the United States in Congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several states in proportion to the value of all land within each state, granted to or surveyed for any person, as such land the buildings and improvements thereon shall be estimated according to such mode as the United States in Congress assembled shall from time to time direct and appoint. The taxes for paying that proportion shall be laid and levied by the authority and direction of the legislatures of the several states within the time agreed upon by the United States in Congress assembled.

Article IX. The United States in Congress assembled shall have the sole and exclusive right and power of determining on peace and war, except in the cases mentioned in the sixth article—of sending and receiving ambassadors—entering into treaties and alliances, provided that no treaty of commerce shall be made whereby the legislative power of the respective states shall be restrained from imposing such imposts and duties on foreigners as their own people are subjected to or from prohibiting the exportation or importation of any species of goods or commodities whatsoever—of establishing rules for deciding in all cases what captures on land or water shall be legal, and in what manner prizes taken by land or naval forces in the service of the United States shall be divided or appropriated—of granting letters of marque and reprisal in times of peace—appointing courts for the trial of piracies and felonies committed on the high seas and establishing courts for receiving and determining finally appeals in all cases of captures, provided that no member of Congress shall be appointed a judge in any of the said courts.

The United States in Congress assembled shall also be the last resort on appeal in all disputes and difference now subsisting or that hereafter may arise between two or more states concerning boundary, jurisdiction, or any other cause whatever. . . . Provided, also, that no state shall be deprived of territory for the benefit of the United States.

All controversies concerning the private right of soil claimed under different grants of two or more states, whose jurisdictions as they may respect such lands, and the states which passed such grants are adjusted, the said grants or either of them being at the same time claimed to have originated antecedent to such settlement of jurisdiction shall, on the petition of either party to the Congress of the United States, be finally determined as near as may be in the same manner as is before prescribed for deciding disputes respecting territorial jurisdiction between different states.

(continued)

Articles of Confederation

The United States in Congress assembled shall also have the sole and exclusive right and power of regulating the alloy and value of coin struck by their own authority or by that of the respective states—fixing the standard of weights and measures throughout the United States—regulating the trade and managing all affairs with the Indians not members of any of the states, provided that the legislative right of any state within its own limits be not infringed or violated—establishing or regulating post offices from one state to another, throughout all the United States, and exacting such postage on the papers passing through the same as may be requisite to defray the expenses of the said office—appointing all officers of the land forces in the service of the United States excepting regimental officers—appointing all the officers of the naval forces, and commissioning all officers whatever in the service of the United States—making rules for the government and regulation of the said land and naval forces, and directing their operations.

The United States in Congress assembled shall have authority to appoint a committee, to sit in the recess of Congress, to be denominated “A Committee of the States,” and to consist of one delegate from each state; and to appoint such other committees and civil officers as may be necessary for managing the general affairs of the United States under their direction—to appoint one of their number to preside, provided that no person be allowed to serve in the office of President more than one year in any term of three years; to ascertain the necessary sums of money to be raised for the service of the United States, and to appropriate and apply the same for defraying the public expenses—to borrow money or emit bills on the credit of the United States, transmitting every half-year to the respective states an account of the sums of money so borrowed or emitted—to build and equip a navy—to agree upon the number of land forces, and to make requisitions from each state for its quota, in proportion to the number of white inhabitants in such state, which requisition shall be binding. . . .

Thereupon the legislature of each state shall appoint the regimental officers, raise the men and clothe, arm, and equip them in a soldier-like manner, at the expense of the United States; and the officers and men so clothed, armed, and equipped shall march to the place appointed and within the time agreed on by the United States in Congress assembled. . . .

The United States in Congress assembled shall never engage in a war, nor grant letters of marque and reprisal in time of peace, nor enter into any treaties or alliances, nor coin money, nor regulate the value thereof, nor ascertain the sums and expenses necessary for the defense and welfare of the United States, or any of them, nor emit bills, nor borrow money on the credit of the United States, nor appropriate money, nor agree upon the number of vessels of war to be built or purchased or the number of land or sea forces to be raised, nor appoint a commander in chief of the Army or Navy, unless nine states assent to the same; nor shall a question on any other point, except for adjourning from day to day, be determined unless by the votes of a majority of the United States in Congress assembled. . . .

Article XI. Canada acceding to this Confederation, and joining in the measures of the United States, shall be admitted into and entitled to all the advantages of this union; but no other colony shall be admitted into the same unless such admission be agreed to by nine states.

Article XII. All bills of credit emitted, moneys borrowed, and debts contracted by or under the authority of Congress, before the assembling of the United States, in pursuance of the present Confederation, shall be deemed and considered as a charge against the United States, for payment and satisfaction whereof the said United States and the public faith are hereby solemnly pledged.

The Federalist, No. 10

James Madison wrote several articles supporting ratification of the Constitution for a New York newspaper. In the excerpt below, Madison argues for the idea of a federal republic.



▲ James Madison

Among the numerous advantages promised by a well-constructed Union, none deserves to be more accurately developed than its tendency to break and control the violence of faction. The friend of popular governments never finds himself so much alarmed for their character and fate as when he contemplates their propensity to this dangerous vice. . . . The instability, injustice, and confusion introduced into the public councils have, in truth, been the mortal diseases under which popular governments have everywhere perished. . . . It will be found, indeed, on a candid review of our situation, that some of the distresses under which we labor have been erroneously charged on the operation of our governments; but it will be found, at the same time, that other causes will not alone account for many of our heaviest misfortunes; and, particularly, for that prevailing and increasing distrust of public engagements and alarm for private rights which are echoed from one end of the continent to the other. These must be chiefly, if not wholly, effects of the unsteadiness and injustice with which a factious spirit has tainted our public administration.

By a faction I understand a number of citizens, whether amounting to a majority or minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community.

There are two methods of curing the mischiefs of faction: the one, by removing its causes; the other, by controlling its effects.

There are again two methods of removing the causes of faction: the one, by destroying the liberty which is essential to its existence; the other, by giving to every citizen the same opinions, the same passions, and the same interests.

It could never be more truly said than of the first remedy that it was worse than the disease. Liberty is to faction what air is to fire, an aliment without which it instantly expires. But it could not be a less folly to abolish liberty, which is essential to political life, because it nourishes faction than it would be to wish the annihilation of air, which is essential to animal life, because it imparts to fire its destructive agency.

The second expedient is as impracticable as the first would be unwise. As long as the reason of man continues fallible, and he is at liberty to exercise it, different opinions will be formed. . . .

The latent causes of faction are thus sown in the nature of man; and we see them everywhere brought into different degrees of activity, according to the different circumstances of civil society. A zeal for different opinions concerning religion, concerning government, and many other points . . . ; an attachment to different leaders ambitiously contending for pre-eminence and power . . . have, in turn, divided mankind into parties, inflamed them with mutual animosity, and rendered them much more disposed to vex and oppress each other than to cooperate for their common good. . . . But the most common

(continued)

The Federalist, No. 10

and durable source of factions has been the various and unequal distribution of property. Those who hold and those who are without property have ever formed distinct interests in society. Those who are creditors, and those who are debtors, fall under a like discrimination. A landed interest, a manufacturing interest, a mercantile interest, a moneyed interest, with many lesser interests, grow up of necessity in civilized nations, and divide them into different classes, actuated by different sentiments and views. The regulation of these various and interfering interests forms the principal task of modern legislation and involves the spirit of party and faction in the necessary and ordinary operations of government. . . .

[Y]et what are many of the most important acts of legislation but so many judicial determinations, not indeed concerning the rights of single persons, but concerning the rights of large bodies of citizens? And what are the different classes of legislators but advocates and parties to the causes which they determine? . . .

It is in vain to say that enlightened statesmen will be able to adjust these clashing interests and render them all subservient to the public good. Enlightened statesmen will not always be at the helm. Nor, in many cases, can such an adjustment be made at all without taking into view indirect and remote considerations, which will rarely prevail over the immediate interest which one party may find in disregarding the rights of another or the good of the whole.

The inference to which we are brought is that the causes of faction cannot be removed and that relief is only to be sought in the means of controlling its effects.

If a faction consists of less than a majority, relief is supplied by the republican principle, which enables the majority to defeat its sinister views by regular vote. It may clog the administration, it may convulse the society; but it will be unable to execute and mask its violence under the forms of the Constitution. When a majority is included in a faction, the form of popular government, on the other hand, enables it to sacrifice to its ruling passion or interest both the public good and the rights of other citizens. To secure the public good and private rights against the danger of such a faction, and at the same time to preserve the spirit and the form of popular government, is then the great object to which our inquiries are directed. . . .

By what means is this object attainable? Evidently by one of two only. Either the existence of the same passion or interest in a majority at the same time must be prevented, or the majority, having such coexistent passion or interest, must be rendered, by their number and local situation, unable to concert and carry into effect schemes of oppression. If the impulse and the opportunity be suffered to coincide, we well know that neither moral nor religious motives can be relied on as an adequate control. They are not found to be such on the injustice and violence of individuals, and lose their efficacy in proportion to the number combined together. . . .

From this view of the subject it may be concluded that a pure democracy, by which I mean a society consisting of a small number of citizens, who assemble and administer the government in person, can admit of no cure for the mischiefs of faction. A common passion or interest will, in almost every case, be felt by a majority of the whole; a communication and concert results from the form of government itself; and there is nothing to check the inducements to sacrifice the weaker party or an obnoxious individual. Hence it is that such democracies have ever been spectacles of turbulence and contention; have ever been found

incompatible with personal security or the rights of property; and have in general been as short in their lives as they have been violent in their deaths. . . .

A republic, by which I mean a government in which the scheme of representation takes place, opens a different prospect and promises the cure for which we are seeking. Let us examine the points in which it varies from pure democracy, and we shall comprehend both the nature of the cure and the efficacy which it must derive from the Union.

The two great points of difference between a democracy and a republic are: first, the delegation of the government, in the latter, to a small number of citizens elected by the rest; secondly, the greater number of citizens and greater sphere of country over which the latter may be extended.

The effect of the first difference is, on the one hand, to refine and enlarge the public views by passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true interest of their country and whose patriotism and love of justice will be least likely to sacrifice it to temporary or partial considerations. Under such a regulation it may well happen that the public voice, pronounced by the representatives of the people, will be more consonant to the public good than if pronounced by the people themselves. . . . On the other hand, the effect may be inverted. Men of factious tempers, of local prejudices, or of sinister designs, may, by intrigue, by corruption, or by other means, first obtain the suffrages, and then betray the interests of the people. The question resulting is, whether small or extensive republics are most favorable to the election of proper guardians of the public weal; and it is clearly decided in favor of the latter by two obvious considerations.

In the first place it is to be remarked that however small the republic may be the representatives must be raised to a certain number in order to guard against the cabals of a few; and that however large it may be they must be limited to a certain number in order to guard against the confusion of a multitude. Hence, the number of representatives in the two cases not being in proportion to that of the constituents, and being proportionally greatest in the small republic, it follows that if the proportion of fit characters be not less in the large than in the small republic, the former will present a greater option, and consequently a greater probability of a fit choice.

In the next place, as each representative will be chosen by a greater number of citizens in the large than in the small republic, it will be more difficult for unworthy candidates to practise with success the vicious arts by which elections are too often carried; and the suffrages of the people being more free, will be more likely to center on men who possess the most attractive merit and the most diffusive and established characters.

It must be confessed that in this, as in most other cases, there is a mean, on both sides of which inconveniencies will be found to lie. By enlarging too much the number of electors, you render the representative too little acquainted with all their local circumstances and lesser interests; as by reducing it too much, you render him unduly attached to these, and too little fit to comprehend and pursue great and national objects. The federal Constitution forms a happy combination in this respect; the great and aggregate interests being referred to the national, the local and particular to the State legislatures. . . .

In the extent and proper structure of the Union, therefore, we behold a republican remedy for the diseases most incident to republican government. And according to the degree of pleasure and pride we feel in being republicans ought to be our zeal in cherishing the spirit and supporting the character of federalists.

The Federalist, No. 51

To what expedient, then, shall we finally resort, for maintaining in practice the necessary partition of power among the several departments as laid down in the Constitution? . . .

In order to lay a due foundation for that separate and distinct exercise of the different powers of government, which to a certain extent is admitted on all hands to be essential to the preservation of liberty, it is evident that each department should have a will of its own; and consequently should be so constituted that the members of each should have as little agency as possible in the appointment of the members of the others. Were this principle rigorously adhered to, it would require that all the appointments for the supreme executive, legislative, and judiciary magistracies should be drawn from the same fountain of authority, the people. . . .

It is equally evident that the members of each department should be as little dependent as possible on those of the others for the emoluments [finances] annexed to their offices. Were the executive magistrate, or the judges, not independent of the legislature in this particular, their independence in every other would be merely nominal.

But the great security against a gradual concentration of the several powers in the same department consists in giving to those who administer each department the necessary constitutional means and personal motives to resist encroachments of the others. . . . Ambition must be made to counteract ambition. The interest of the man must be connected with the constitutional rights of the place. It may be a reflection on human nature that such devices should be necessary to control the abuses of government. But what is government itself but the greatest of all reflections on human nature? If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself. A dependence on the people is, no doubt, the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions. . . .

But it is not possible to give to each department an equal power of self-defense. In republican government, the legislative authority necessarily predominates. The remedy for this inconveniency is to divide the legislature into different branches; and to render them, by different modes of election and different principles of action, as little connected with each other as the nature of their common functions and their common dependence on the society will admit. It may even be necessary to guard against dangerous encroachments by still further precautions. As the weight of the legislative authority requires that it should be thus divided, the weakness of the executive may require, on the other hand, that it should be fortified. An absolute negative [veto] on the legislature appears, at first view, to be the natural defense with which the executive magistrate should be armed. But perhaps it would be neither altogether safe nor alone sufficient. On ordinary occasions it might not be exerted with the requisite firmness, and on extraordinary occasions it might be perfidiously abused.



▲ Eagle and crossed flags

May not this defect of an absolute negative be supplied by some qualified connection between this weaker department and the weaker branch of the stronger department, by which the latter may be led to support the constitutional rights of the former, without being too much detached from the rights of its own department? . . .

There are, moreover, two considerations particularly applicable to the federal system of America, which place that system in a very interesting point of view.

First. In a single republic, all the power surrendered by the people is submitted to the administration of a single government; and the usurpations are guarded against by a division of the government into distinct and separate departments. In the compound republic of America, the power surrendered by the people is first divided between two distinct governments, and then the portion allotted to each subdivided among distinct and separate departments. Hence a double security arises to the rights of the people. The different governments will control each other, at the same time that each will be controlled by itself.

Second. It is of great importance in a republic not only to guard the society against the oppression of its rulers, but to guard one part of the society against the injustice of the other part. Different interests necessarily exist in different classes of citizens. If a majority be united by a common interest, the rights of the minority will be insecure. There are but two methods of providing against this evil: the one by creating a will in the community independent of the majority—that is, of the society itself; the other, by comprehending in the society so many separate descriptions of citizens as will render an unjust combination of a majority of the whole very improbable, if not impracticable. The first method prevails in all governments possessing an hereditary or self-appointed authority. This, at best, is but a precarious security; because a power independent of the society may as well espouse the unjust views of the major as the rightful interests of the minor party, and may possibly be turned against both parties. The second method will be exemplified in the federal republic of the United States. Whilst all authority in it will be derived from and dependent on the society, the society itself will be broken into so many parts, interests and classes of citizens, that the rights of individuals, or of the minority, will be in little danger from interested combinations of the majority. In a free government the security for civil rights must be the same as that for religious rights. It consists in the one case in the multiplicity of interests, and in the other in the multiplicity of sects. The degree of security in both cases will depend on the number of interests and sects; and this may be presumed to depend on the extent of country and number of people comprehended under the same government. This view of the subject must particularly recommend a proper federal system to all the sincere and considerate friends of republican government, since it shows that in exact proportion as the territory of the Union may be formed into more circumscribed Confederacies, or States, oppressive combinations of a majority will be facilitated; the best security, under the republican forms, for the rights of every class of citizen, will be diminished; and consequently the stability and independence of some member of the government, the only other security, must be proportionally increased. Justice is the end of government. It is the end of civil society. It ever has been and ever will be pursued until it be obtained, or until liberty be lost in the pursuit. . . .

The Federalist, No. 59

The natural order of the subject leads us to consider . . . that provision of the Constitution which authorizes the national legislature to regulate, in the last resort, the election of its own members. . . . Its propriety rests upon the evidence of this plain proposition, that every government ought to contain in itself the means of its own preservation. . . . Nothing can be more evident, than that an exclusive power of regulating elections for the national government, in the hands of the state legislatures, would leave the existence of the union entirely at their mercy. . . .

It is certainly true that the state legislatures, by forbearing the appointment of senators, may destroy the national government. But it will not follow that, because they have a power to do this in one instance, they ought to have it in every other. . . . [I]t is an evil; but it is an evil which could not have been avoided without excluding the states . . . from a place in the organization of the national government.

The Federalist, No. 78

Under the name of "Publius," Alexander Hamilton wrote many of the Federalist Papers. Here he argues that an independent judiciary is critical to liberty. Two things are necessary to guarantee an independent judiciary, he said: judges must be able to hold office for as long as they show good behavior, and the judiciary must be independent of other branches of government. It is no accident that two of his footnotes cite the French philosopher baron de Montesquieu, the first thinker to theorize on the importance of separate branches of government.

According to the plan of the convention, all judges who may be appointed by the United States are to hold their offices DURING GOOD BEHAVIOR; which is conformable to the most approved of the State constitutions and among the rest, to that of this State. . . . The standard of good behavior for the continuance in office of the judicial magistracy, is certainly one of the most valuable of the modern improvements in the practice of government. In a monarchy it is an excellent barrier to the despotism of the prince; in a republic it is a no less excellent barrier to the encroachments and oppressions of the representative body. And it is the best expedient which can be devised in any government, to secure a steady, upright, and impartial administration of the laws.

Whoever attentively considers the different departments of power must perceive, that, in a government in which they are separated from each other, the judiciary, from the nature of its functions, will always be the least dangerous to the political rights of the Constitution; because it will be least in a capacity to annoy or injure them. The Executive not only dispenses the honors, but holds the sword of the community. The legislature not only commands the purse, but prescribes the rules by which the duties and rights of every citizen are to be regulated. The judiciary, on the contrary, has no influence over either the sword or the purse; no direction either of the strength or of the wealth of the society; and can take no active resolution whatever. It may truly be said to have neither FORCE nor WILL, but merely judgment; and must ultimately depend upon the aid of the executive arm even for the efficacy of its judgments.

This simple view of the matter suggests several important consequences. It proves incontestably, that the judiciary is beyond comparison the weakest of the three departments of power;¹ that it can never attack with success either of the other two; and that all possible care is requisite to enable it to defend itself against their attacks. It equally proves, that though individual oppression may now and then proceed from the courts of justice, the general liberty of the people can never be endangered from that quarter; . . . For I agree, that “there is no liberty, if the power of judging be not separated from the legislative and executive powers.”² And it proves, in the last place, that as liberty can have nothing to fear from the judiciary alone, but would have every thing to fear from its union with either of the other departments.

Some perplexity respecting the rights of the courts to pronounce legislative acts void, because contrary to the Constitution, has arisen from an imagination that the doctrine would imply a superiority of the judiciary to the legislative power. It is urged that the authority which can declare the acts of another void, must necessarily be superior to the one whose acts may be declared void. As this doctrine is of great importance in all the American constitutions, a brief discussion of the ground on which it rests cannot be unacceptable.

If it be said that the legislative body are themselves the constitutional judges of their own powers, and that the construction they put upon them is conclusive upon the other departments, it may be answered, that this cannot be the natural presumption, where it is not to be collected from any particular provisions in the Constitution. It is not otherwise to be supposed, that the Constitution could intend to enable the representatives of the people to substitute their WILL to that of their constituents. It is far more rational to suppose, that the courts were designed to be an intermediate body between the people and the legislature, in order, among other things, to keep the latter within the limits assigned to their authority. The interpretation of the laws is the proper and peculiar province of the courts. A constitution is, in fact, and must be regarded by the judges, as a fundamental law. It therefore belongs to them to ascertain its meaning, as well as the meaning of any particular act proceeding from the legislative body. If there should happen to be an irreconcilable variance between the two, that which has the superior obligation and validity ought, of course, to be preferred; or, in other words, the Constitution ought to be preferred to the statute, the intention of the people to the intention of their agents.

Nor does this conclusion by any means suppose a superiority of the judicial to the legislative power. It only supposes that the power of the people is superior to both; and that where the will of the legislature, declared in its statutes, stands in opposition to that of the people, declared in the Constitution, the judges ought to be governed by the latter rather than the former. They ought to regulate their decisions by the fundamental laws, rather than by those which are not fundamental.

If, then, the courts of justice are to be considered as the bulwarks of a limited Constitution against legislative encroachments, this consideration will afford a strong argument for the permanent tenure of judicial offices, since nothing will contribute so much as this to that independent spirit in the judges which must be essential to the faithful performance of so arduous a duty.

1 The celebrated Montesquieu, speaking of them, says: “Of the three powers above mentioned, the judiciary is next to nothing.” “Spirit of Laws,” vol. I., page 186.

2 Idem, page 181.

(continued)

The Federalist, No. 78

This independence of the judges is equally requisite to guard the Constitution and the rights of individuals from the effects of those ill humors, which the arts of designing men, or the influence of particular conjunctures, sometimes disseminate among the people themselves, and which, though they speedily give place to better information, and more deliberate reflection, have a tendency, in the meantime, to occasion dangerous innovations in the government, and serious oppressions of the minor party in the community. Though I trust the friends of the proposed Constitution will never concur with its enemies,³ in questioning that fundamental principle of republican government, which admits the right of the people to alter or abolish the established Constitution, whenever they find it inconsistent with their happiness, yet it is not to be inferred from this principle, that the representatives of the people, whenever a momentary inclination happens to lay hold of a majority of their constituents, incompatible with the provisions in the existing Constitution, would, on that account, be justifiable in a violation of those provisions; Until the people have, by some solemn and authoritative act, annulled or changed the established form, it is binding upon themselves collectively, as well as individually; and no presumption, or even knowledge, of their sentiments, can warrant their representatives in a departure from it, prior to such an act. But it is easy to see, that it would require an uncommon portion of fortitude in the judges to do their duty as faithful guardians of the Constitution, where legislative invasions of it had been instigated by the major voice of the community.

PUBLIUS

3 Vide "Protest of the Minority of the Convention of Pennsylvania," Martin's Speech, etc.



▲ Statue of Alexander Hamilton

Seneca Falls Declaration

One of the first documents to express the desire for equal rights for women is the Declaration of Sentiments and Resolution, issued in 1848 at the Seneca Falls Convention.

We hold these truths to be self-evident: that all men and women are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights governments are instituted, deriving their just powers from the consent of the governed. Whenever any form of government becomes destructive of these ends, it is the right of those who suffer from it to refuse allegiance to it, and to insist upon the institution of a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. . . .

The history of mankind is a history of repeated injuries and usurpations on the part of man toward woman, having in direct object the establishment of an absolute tyranny over her.

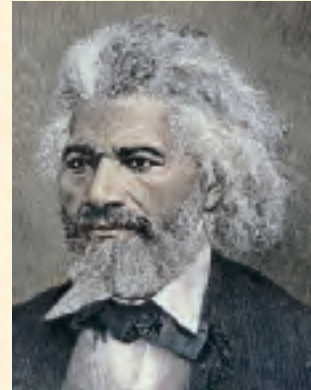
Now, in view of this entire disfranchisement . . . we insist that they have immediate admission to all the rights and privileges which belong to them as citizens of the United States. . . .



▲ Elizabeth Cady Stanton

Fourth of July Address

As the city's most distinguished resident, Frederick Douglass was requested to address the citizens of Rochester on the Fourth of July celebration in 1852. The speech he delivered, under the title "What to the Slave is the Fourth of July?," is excerpted below.



▲ Frederick Douglass

Fellow Citizens: Pardon me, and allow me to ask, why am I called upon to speak here today? What have I or those I represent to do with your national independence? Are the great principles of political freedom and of natural justice, embodied in that Declaration of Independence, extended to us? And am I, therefore, called upon to bring our humble offering to the national altar, and to confess the benefits, and express devout gratitude for the blessings resulting from your independence to us? . . .

I say it with a sad sense of disparity between us. I am not included within the pale of this glorious anniversary! Your high independence only reveals the immeasurable distance between us. The blessings in which you this day rejoice are not enjoyed in common. The rich inheritance of justice, liberty, prosperity, and independence bequeathed by your fathers is shared by you, not by me. . . . This Fourth of July is yours, not mine. You may rejoice, I must mourn. . . .

I do not hesitate to declare, with all my soul, that the character and conduct of this nation never looked blacker to me than on this Fourth of July. Whether we turn to the declarations of the past, or to the professions of the present, the conduct of the nation seems equally hideous and revolting. America is false to the past, false to the present, and solemnly binds herself to be false to the future. . . . I will, in the name of humanity, which is outraged, in the name of liberty, which is fettered, in the name of the Constitution and the Bible, which are disregarded and trampled upon, dare to call in question and to denounce, with all the emphasis I can command, everything that serves to perpetuate slavery—the great sin and shame of America! “I will not equivocate; I will not excuse”; I will use the severest language I can command, and yet not one word shall escape me that any man, whose judgment is not blinded by prejudice, or who is not at heart a slave-holder, shall not confess to be right and just. . . .

Would you have me argue that man is entitled to liberty? That he is the rightful owner of his own body? You have already declared it. Must I argue the wrongfulness of slavery? . . . There is not a man beneath the canopy of heaven who does not know that slavery is wrong for him.

What! Am I to argue that it is wrong to make men brutes, to rob them of their liberty, to work them without wages, to keep them ignorant of their relations to their fellow men, to beat them with sticks, to flay their flesh with the lash, to load their limbs with irons, to hunt them with dogs, to sell them at auction, to sunder their families, to knock out their teeth, to burn their flesh, to starve them into obedience and submission to their masters? . . . The feeling of the nation must be quickened; the conscience of the nation must be roused; the propriety of the nation must be startled; the hypocrisy of the nation must be exposed; and its crimes against God and man must be denounced. . . .

The Emancipation Proclamation

On January 1, 1863, President Abraham Lincoln issued the Emancipation Proclamation, which freed all slaves in states under Confederate control. The Proclamation was a significant step toward the Thirteenth Amendment (1865) that ended slavery in the United States.



▲ Abraham Lincoln

Whereas, on the 22nd day of September, in the year of our Lord 1862, a proclamation was issued by the President of the United States, containing, among other things, the following, to wit:

That on the 1st day of January, in the year of our Lord 1863, all persons held as slaves within any state or designated part of a state, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever free; and the executive government of the United States, including the military and naval authority thereof, will recognize and maintain the freedom of such persons and will do no act or acts to repress such persons, or any of them, in any efforts they may make for their actual freedom.

That the executive will, on the first day of January aforesaid, by proclamation, designate the states and parts of states, if any, in which the people thereof, respectively, shall then be in rebellion against the United States; and the fact that any state or the people thereof shall on that day be in good faith represented in the Congress of the United States by members chosen thereto at elections wherein a majority of the qualified voters of such states shall have participated shall, in the absence of strong countervailing testimony, be deemed conclusive evidence that such state and the people thereof are not then in rebellion against the United States.

Now, therefore, I, Abraham Lincoln, President of the United States, by virtue of the power in me vested as commander in chief of the Army and Navy of the United States, in time of actual armed rebellion against the authority and government of the United States, and as a fit and necessary war measure for suppressing said rebellion, do, on this 1st day of January, in the year of our Lord 1863, and in accordance with my purpose so to do, publicly proclaimed for the full period of 100 days from the day first above mentioned, order and designate as the states and parts of states wherein the people thereof, respectively, are this day in rebellion against the United States. . . .

And, by virtue of the power and for the purpose aforesaid, I do order and declare that all persons held as slaves within said designated states and parts of states are, and henceforward shall be, free; and that the executive government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of said persons. . .

And upon this act, sincerely believed to be an act of justice, warranted by the Constitution upon military necessity, I invoke the considerate judgment of mankind and the gracious favor of Almighty God.

The Fourteen Points



▲ Leaders (left to right) David Lloyd George of Great Britain, Vittorio Orlando of Italy, Georges Clemenceau of France, and Woodrow Wilson of the United States

On January 8, 1918, President Woodrow Wilson went before Congress to offer a statement of aims called the Fourteen Points.

We entered this war because violations of right had occurred. . . . What we demand in this war, therefore, is . . . that the world be made fit and safe to live in. . . . The only possible programme, as we see it, is this:

I. Open covenants of peace, openly arrived at, after which there shall be no private international understandings of any kind but diplomacy shall proceed always frankly and in the public view.

II. Absolute freedom of navigation upon the seas, outside territorial waters, alike in peace and in war. . . .

III. The removal, so far as possible, of all economic barriers and the establishment of an equality of trade conditions among all the nations. . . .

IV. Adequate guarantees given and taken that national armaments will be reduced to the lowest point consistent with domestic safety.

V. A free, open-minded, and absolutely impartial adjustment of all colonial claims, based upon a strict observance of the principle that in determining all such questions of sovereignty the interests of the populations concerned must have equal weight with the equitable claims of the government whose title is to be determined.

VI. The evacuation of all Russian territory and . . . opportunity for the independent determination of her own political development and national policy. . . .

VII. Belgium . . . must be evacuated and restored. . . .

VIII. All French territory should be freed and the invaded portions restored, and the wrong done to France by Prussia in 1871 in the matter of Alsace-Lorraine should be righted. . . .

IX. A readjustment of the frontiers of Italy should be effected along clearly recognizable lines of nationality.

X. The peoples of Austria-Hungary . . . should be accorded the freest opportunity of autonomous development.

XI. Rumania, Serbia, and Montenegro should be evacuated; occupied territories restored . . . the relations of the several Balkan states to one another determined by friendly counsel along historically established lines of allegiance and nationality. . . .

XII. The Turkish portions of the present Ottoman Empire should be assured a secure sovereignty. . . .

XIII. An independent Polish state should be erected which should include the territories inhabited by indisputably Polish populations. . . .

XIV. A general association of nations must be formed under specific covenants for the purpose of affording mutual guarantees of political independence and territorial integrity. . . .

The Four Freedoms

President Franklin D. Roosevelt delivered this address on January 6, 1941, in his annual message to Congress. Roosevelt called for a world founded on “four essential human freedoms”: freedom of speech and expression, freedom of worship, freedom from want, and freedom from fear.

Just as our national policy in internal affairs has been based upon a decent respect for the rights and dignity of all our fellowmen within our gates, so our national policy in foreign affairs has been based on a decent respect for the rights and dignity of all nations, large and small. And the justice of morality must and will win in the end.

Our national policy is this:

First, by an impressive expression of the public will and without regard to partisanship, we are committed to all-inclusive national defense.

Second, by an impressive expression of the public will and without regard to partisanship, we are committed to full support of all those resolute peoples, everywhere, who are resisting aggression and are thereby keeping war away from our Hemisphere. . . .

Third . . . we are committed to the proposition that principles of morality and considerations for our own security will never permit us to acquiesce in a peace dictated by aggressors. . . .

Let us say to the democracies, “We Americans are vitally concerned in your defense of freedom. We are putting forth our energies, our resources, and our organizing powers to give you the strength to regain and maintain a free world. We shall send you, in ever increasing numbers, ships, planes, tanks, guns. This is our purpose and our pledge.”

In fulfillment of this purpose we will not be intimidated by the threats of dictators that they will regard as a breach of international law and as an act of war our aid to the democracies which dare to resist their aggression. . . .

In the future days, which we seek to make secure, we look forward to a world founded upon four essential human freedoms.

The first is freedom of speech and expression everywhere in the world.

The second is freedom of every person to worship God in his own way everywhere in the world.

The third is freedom from want, which, translated into world terms, means economic understandings which will secure to every nation a healthy peacetime life for its inhabitants everywhere in the world.

The fourth is freedom from fear—which, translated into world terms, means a worldwide reduction of armaments to such a point and in such a thorough fashion that no nation will be in a position to commit an act of physical aggression against any neighbor—anywhere in the world. . . .



▲ Roosevelt (left) and British Prime Minister Winston Churchill

Charter of the United Nations

The United Nations Charter was signed on June 26, 1945. It formally established the United Nations, a new international peace organization to succeed the League of Nations. The following excerpt contains Article I of the charter.



▲ United Nations flag

We the peoples of the United Nations determined
to save succeeding generations from the scourge of war,
which twice in our lifetime has brought untold sorrow
to mankind, and
to reaffirm faith in fundamental human rights, in the dignity and worth of the human
person, in the equal rights of men and women and of nations large and small, and
to establish conditions under which justice and respect for the obligations arising
from treaties and other sources of international law can be maintained, and
to promote social progress and better standards of life in larger freedom,

And for these ends

to practise tolerance and live together in peace with one another as good
neighbours, and
to unite our strength to maintain international peace and security, and
to ensure, by the acceptance of principles and the institution of methods, that
armed force shall not be used, save in the common interest, and
to employ international machinery for the promotion of the economic and social
advancement of all peoples,

Have resolved to combine our efforts to accomplish these aims.

Accordingly, our respective Governments, through representatives assembled in the city
of San Francisco, who have exhibited their full powers found to be in good and due form,
have agreed to the present Charter of the United Nations and do hereby establish an
international organization to be known as the United Nations. . . .

Article 1. The Purposes of the United Nations are:

1. To maintain international peace and security, and to that end: to take effective
collective measures for the prevention and removal of threats to the peace, and for the
suppression of acts of aggression or other breaches of the peace, and to bring about by
peaceful means and in conformity with the principles of justice and international law,
adjustment or settlement of international disputes or situations which might lead to a
breach of the peace;
2. To develop friendly relations among nations based on respect for the principle of equal
rights and self-determination of peoples, and to take other appropriate measures to
strengthen universal peace;
3. To achieve international co-operation in solving international problems of an
economic, social, cultural, or humanitarian character, and in promoting and
encouraging respect for human rights and for fundamental freedoms for all without
distinction as to race, sex, language, or religion; and
4. To be a centre for harmonizing the accusations of nations in the attainment of these
common ends.

“I Have a Dream”

On August 28, 1963, while Congress debated wide-ranging civil rights legislation, Martin Luther King, Jr., led more than 200,000 people in a march on Washington, D.C. On the steps of the Lincoln Memorial, he gave a stirring speech in which he eloquently spoke of his dreams for African Americans and for the United States.

Five score years ago, a great American, in whose symbolic shadow we stand, signed the Emancipation Proclamation. This momentous decree came as a great beacon light of hope to millions of Negro slaves who had been seared in the flames of withering injustice. It came as a joyous daybreak to end the long night of captivity.

But one hundred years later, we must face the tragic fact that the Negro is still not free. One hundred years later, the life of the Negro is still sadly crippled by the manacles of segregation and the chains of discrimination. . . .

There are those who are asking the devotees of civil rights, “When will you be satisfied?”

We can never be satisfied as long as the Negro is the victim of the unspeakable horrors of police brutality.

We can never be satisfied as long as our bodies, heavy with the fatigue of travel, cannot gain lodging in the motels of the highways and the hotels of the cities.

We cannot be satisfied as long as the Negro’s basic mobility is from a smaller ghetto to a larger one.

We can never be satisfied as long as a Negro in Mississippi cannot vote and a Negro in New York believes he has nothing for which to vote.

No, no, we are not satisfied, and we will not be satisfied until justice rolls down like waters and righteousness like a mighty stream. . . .

I say to you today, my friends, that in spite of the difficulties and frustrations of the moment I still have a dream. It is a dream deeply rooted in the American dream.

I have a dream that one day this nation will rise up and live out the true meaning of its creed: “We hold these truths to be self-evident; that all men are created equal.”

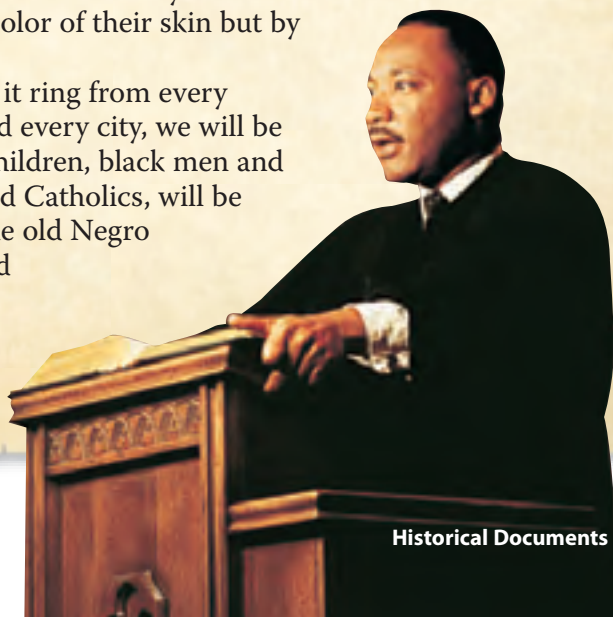
I have a dream that one day on the red hills of Georgia the sons of former slaves and the sons of former slaveowners will be able to sit down together at the table of brotherhood.

I have a dream that one day even the state of Mississippi, a desert state sweltering with the heat of injustice and oppression, will be transformed into an oasis of freedom and justice.

I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character. . . .

When we let freedom ring, when we let it ring from every village and every hamlet, from every state and every city, we will be able to speed up that day when all of God’s children, black men and white men, Jews and Gentiles, Protestants and Catholics, will be able to join hands and sing in the words of the old Negro spiritual, “Free at last! Free at last! Thank God Almighty, we are free at last!”

► Martin Luther King, Jr.



Gulf of Tonkin Resolution

The Gulf of Tonkin Resolution was a joint resolution passed overwhelmingly by Congress on August 7, 1964. It became the basis for President Johnson's escalation of the war in Southeast Asia. A 1968 U.S. Senate investigation questioned the alleged Gulf of Tonkin attacks, and the resolution was repealed in May 1970.

PUBLIC LAW 88—408; 78 STAT. 384

[H.J. Res 1145]

JOINT RESOLUTION

To promote the maintenance of international peace and security in southeast Asia.

Whereas naval units of the Communist regime in [North] Vietnam, in violation of the principles of the Charter of the United Nations and of international law, have deliberately and repeatedly attacked United States naval vessels lawfully present in international waters, and have thereby created a serious threat to international peace; and

Whereas these attacks are part of a deliberate and systematic campaign of aggression that the Communist regime in North Vietnam has been waging against its neighbors and the nations joined with them in the collective defense of their freedom; and

Whereas the United States is assisting the peoples of southeast Asia to protect their freedom and has no territorial, military or political ambitions in that area, but desires only that these peoples should be left in peace to work out their own destinies in their own way: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

That the Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.

Sec. 2. The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in southeast Asia. . . . The United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

Sec. 3. This resolution shall expire when the President shall determine that the peace and security of the area is reasonably assured by international conditions created by action of the United Nations or otherwise, except that it may be terminated earlier by concurrent resolution of the Congress.

Approved August 10, 1964.



▲ The Vietnam Memorial

George W. Bush's Address to Congress, September 20, 2001

On September 11, 2001, terrorists destroyed the World Trade Center in New York City and damaged the Pentagon. President Bush responded in a message to Congress on September 20.



▲ President George W. Bush

... Tonight we are a country awakened to danger and called to defend freedom. Our grief has turned to anger, and anger to resolution. Whether we bring our enemies to justice, or bring justice to our enemies, justice will be done.

... On September 11th, enemies of freedom committed an act of war against our country. Americans have known wars—but for the past 136 years, they have been wars on foreign soil, except for one Sunday in 1941. Americans have known the casualties of war—but not at the center of a great city on a peaceful morning. Americans have known surprise attacks—but never before on thousands of civilians. All of this was brought upon us in a single day—and night fell on a different world, a world where freedom itself is under attack.

... Americans are asking: Who attacked our country? The evidence we have gathered all points to a collection of loosely affiliated terrorist organizations known as al Qaeda. They are the same murderers indicted for bombing American embassies in Tanzania and Kenya, and responsible for bombing the USS *Cole*.

... This group and its leader—a person named Osama bin Laden—are linked to many other organizations in different countries.

... Americans are asking, why do they hate us? They hate what we see right here in this chamber—democratically elected government. ... They hate our freedoms—our freedom of religion, our freedom of speech, our freedom to vote and assemble and disagree with each other.

... We are not deceived by their pretenses to piety. We have seen their kind before. They are the heirs of all the murderous ideologies of the 20th century. By sacrificing human life to serve their radical visions—by abandoning every value except the will to power—they follow the path of Nazism, and totalitarianism. And they will follow that path all the way to where it ends: in history's unmarked grave of discarded lies.

... We will direct every resource at our command—every means of diplomacy, every tool of intelligence, every instrument of law enforcement, every financial influence and every necessary weapon of war—to the disruption and to the defeat of the global terror network.

... Every nation, in every region, now has a decision to make. Either you are with us, or you are with the terrorists.

... This is not, however, just America's fight. And what is at stake is not just America's freedom. This is the world's fight. This is civilization's fight.

... We are in a fight for our principles, and our first responsibility is to live by them. No one should be singled out for unfair treatment or unkind words because of their ethnic background or religious faith.

... Great harm has been done to us. We have suffered great loss. And in our grief and anger we have found our mission and our moment. Freedom and fear are at war. The advance of human freedom—the great achievement of our time, and the great hope of every time—now depends on us. Our nation—this generation—will lift a dark threat of violence from our people and our future.

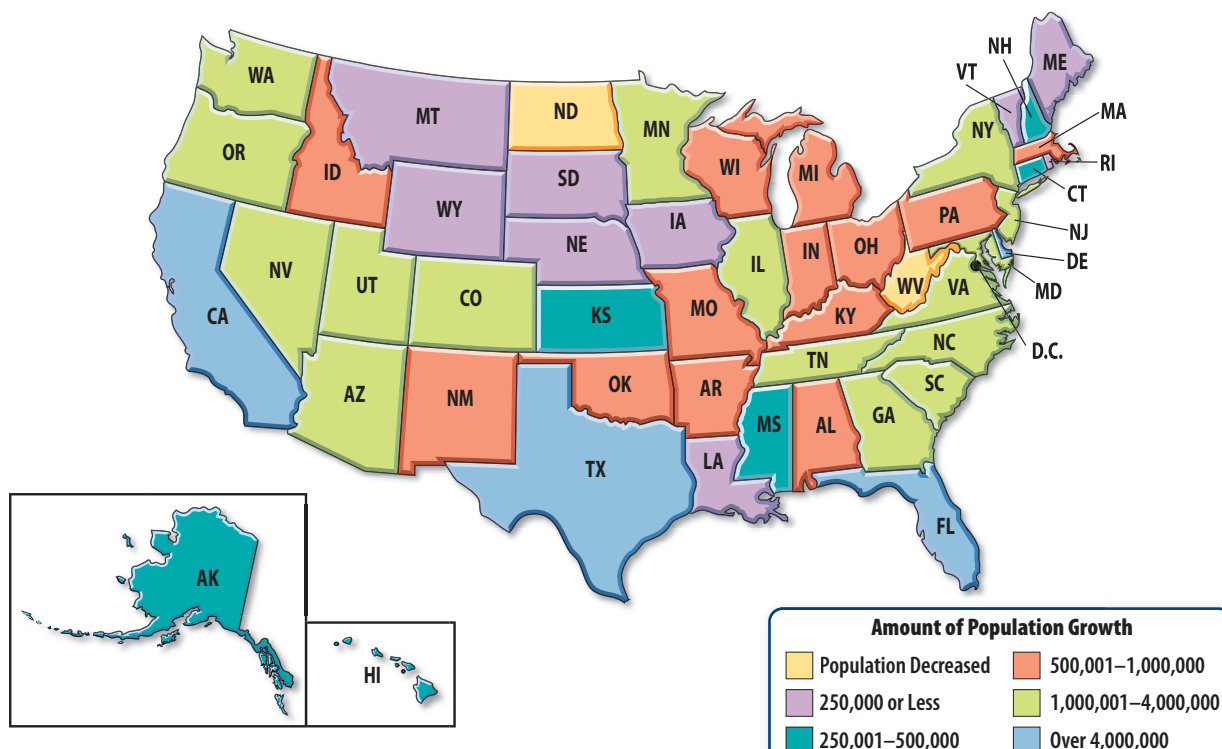
... I will not forget this wound to our country or those who inflicted it. I will not yield; I will not rest; I will not relent in waging this struggle for freedom and security for the American people.

United States Data Bank

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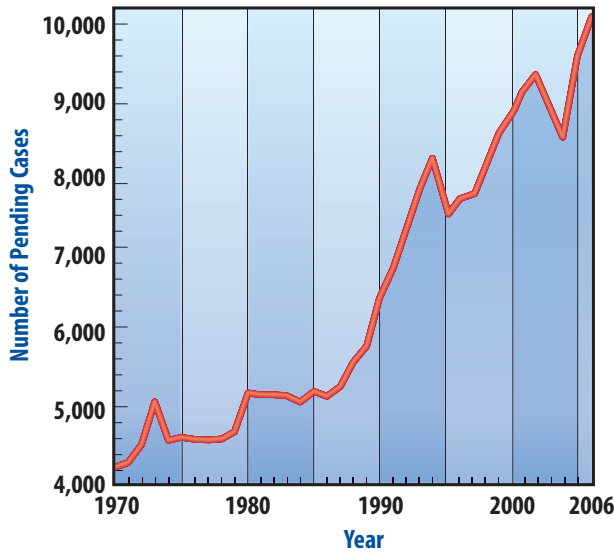
United States Population Growth, 1980–2006



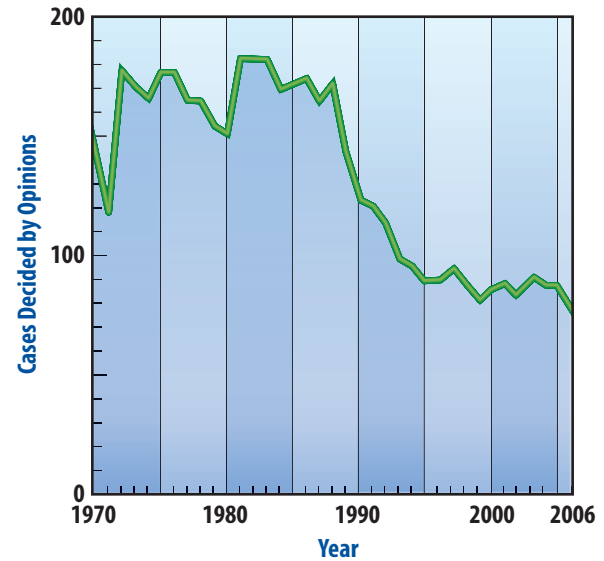
Source: U.S. Bureau of the Census, *Statistical Abstract of the United States*, 2006.

Crime and the Justice System

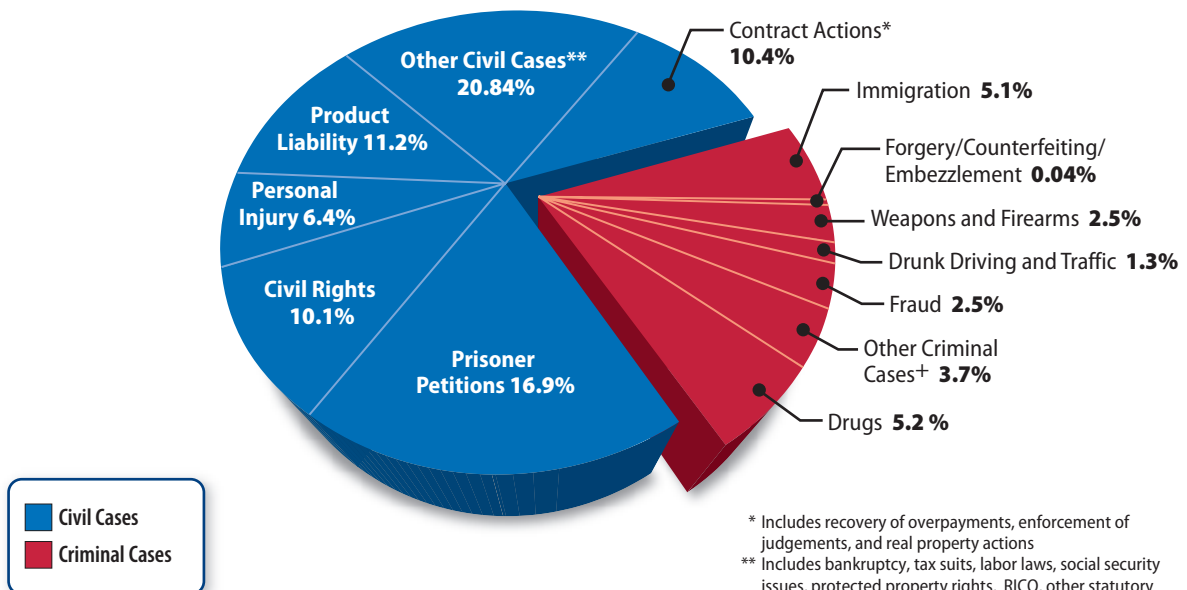
Supreme Court Cases



Supreme Court Decisions



Types of Cases in Federal District Courts, 2007



Sources: U.S. Bureau of the Census, *Statistical Abstract of the United States*, 2008 (Washington, D.C.: 2008); Administrative Office of the U.S. Courts, *Statistical Tables for the Federal Judiciary*, 2007.

* Includes recovery of overpayments, enforcement of judgements, and real property actions

** Includes bankruptcy, tax suits, labor laws, social security issues, protected property rights, RICO, other statutory actions, and forfeiture and penalty

+ Includes federal statute violations, sex offenses, larceny/theft, homicide, robbery, assault, and burglary

Bills Introduced, Passed, and Enacted by Congress, 1967–2010

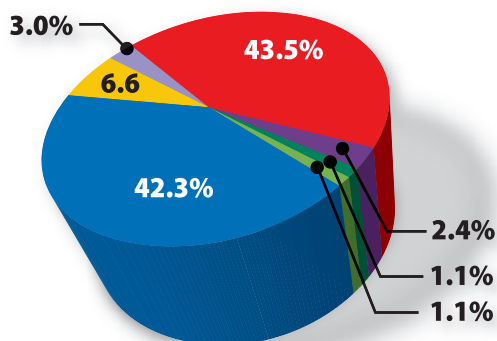
CONGRESS (Years)	BILLS INTRODUCED*		BILLS PASSED*		BILLS ENACTED
	House	Senate	House	Senate	
90th (1967–68)	24,227	4,906	1,659	1,731	1,002
91st (1969–70)	23,575	5,466	1,712	1,676	941
92nd (1971–72)	20,458	4,896	1,469	1,371	768
93rd (1973–74)	21,095	5,127	1,524	1,564	774
94th (1975–76)	19,371	4,913	1,624	1,552	729
95th (1977–78)	17,800	4,513	1,615	1,596	803
96th (1979–80)	10,400	4,194	1,478	1,482	736
97th (1981–82)	9,175	3,172	1,058	1,209	528
98th (1983–84)	8,104	4,097	1,348	1,322	677
99th (1985–86)	7,522	4,080	1,368	1,330	690
100th (1987–88)	7,269	4,013	1,502	1,430	758
101st (1989–90)	7,611	4,184	1,370	1,321	666
102nd (1991–92)	7,771	4,245	1,338	1,277	609
103rd (1993–94)	6,647	3,177	1,126	938	473
104th (1995–96)	5,329	2,661	1,012	822	337
105th (1997–98)	5,982	3,161	1,186	891	404
106th (1999–2000)	6,942	3,898	1,534	1,245	604
107th (2001–2002)	7,029	3,762	1,215	953	383
108th (2003–2004)	6,953	3,716	1,424	1,259	504
109th (2005–2006)	8,152	4,920	1,457	1,260	483
110th (2007–2008)	9,341	4,531	1,621	889	436
111th (2009–2010)	8,789	4,886	1,887	1,047	347

Source: thomas.loc.gov

*Includes House and Senate resolutions, joint resolutions, and concurrent resolutions.

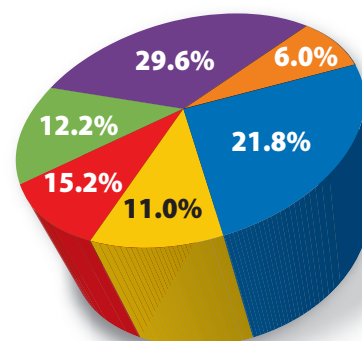
Federal Revenue and Expenditures, 2009

Revenue by Source



■ Corporate Income Taxes
 ■ Individual Income Taxes
 ■ Customs Duties
 ■ Other Receipts
 ■ Estate and Gift Taxes
 ■ Social Insurance Taxes and Contributions
 ■ Excise Taxes

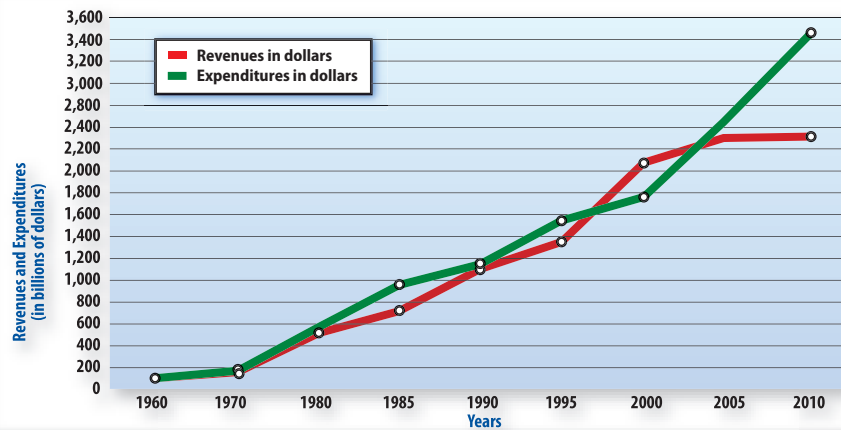
Expenditures by Type



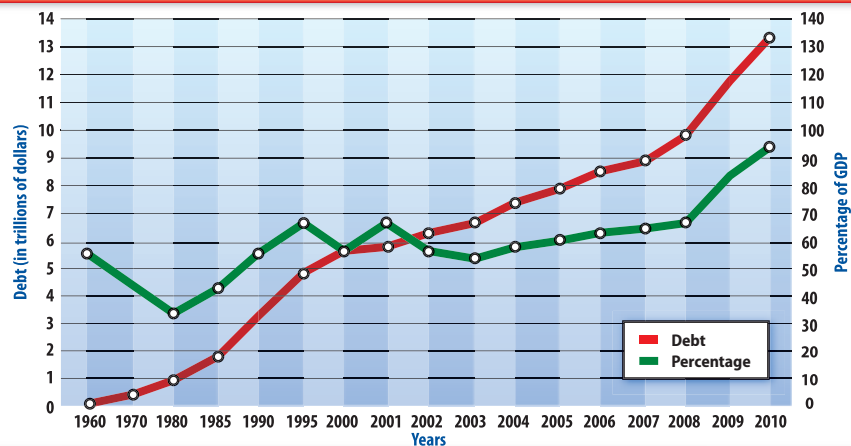
■ Income Support
 ■ Medicare
 ■ Medicaid
 ■ Other Retirement and Disability
 ■ Social Security
 ■ Other Programs

Sources: U.S. Congressional Budget Office, U.S. Congress, www.cbo.gov

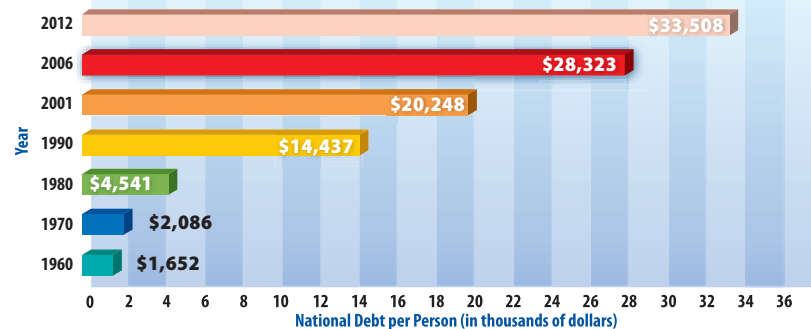
Federal Government Revenues and Expenditures, 1960–2010



Gross Federal Debt, 1960–2010

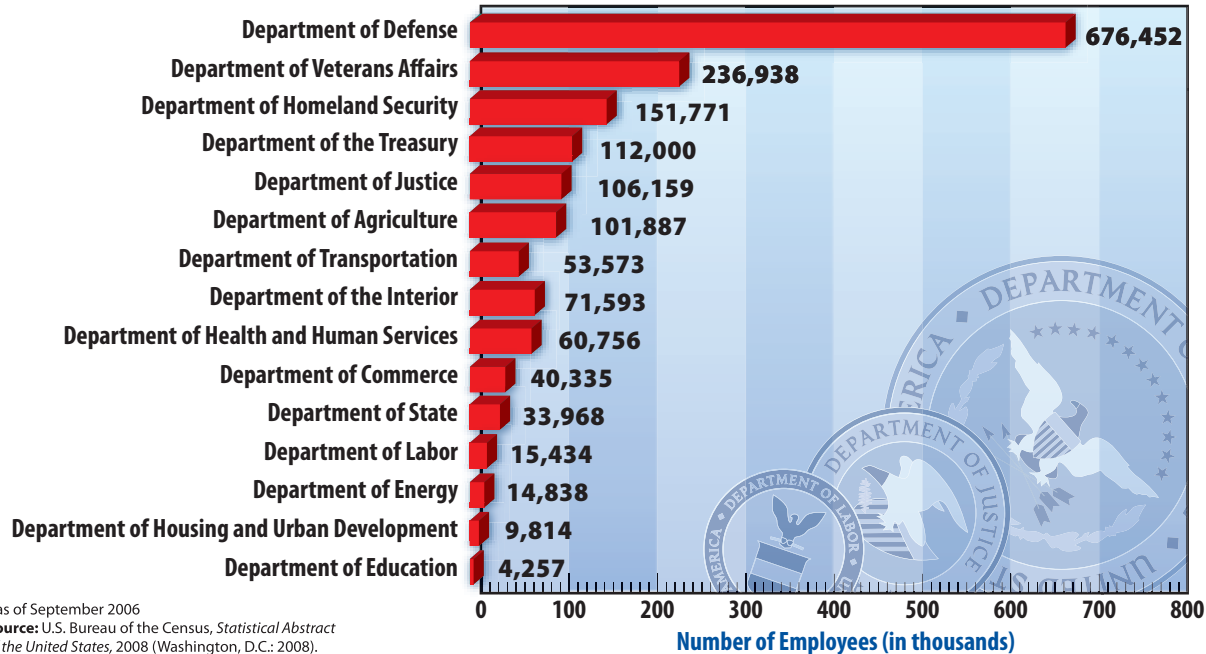


National Debt per Capita, 1960–2011



* Includes federal debt held by public and by the federal government.
Source: U.S. Bureau of the Census; U.S. Bureau of Public Debt; Statistical Abstract of the United States, 2012.

Executive Department Civilian Employees*



Major United States Treaties

Year	Treaty	Major Provisions
1783	Treaty of Paris	Great Britain recognized U.S. independence
1795	Pinckney's Treaty	Spain granted U.S. navigation rights on Mississippi River
1803	Louisiana Purchase	U.S. gained Louisiana Territory from France
1818	Convention of 1818	Set border with Canada west from Great Lakes as the 49th parallel
1819	Adams-Onís Treaty	Spain ceded Florida; U.S. border set with Spanish territory in West
1846	Oregon Treaty	Signed with Great Britain to settle claims to Oregon Country
1848	Treaty of Guadalupe Hidalgo	Ended Mexican War; U.S. gained Southwest and California
1867	Alaska Purchase	U.S. gained Alaska from Russia
1898	Treaty of Paris	Ended Spanish-American War; U.S. gained Puerto Rico and Philippines
1903	Hay-Bunau-Varilla Treaty	Signed with Panama to give U.S. right to build Panama Canal
1949	North Atlantic Treaty	Multinational agreement for defense of Western Europe; created NATO
1968	Nonproliferation Treaty	International agreement to prevent spread of nuclear weapons
1972	SALT I	Agreements between U.S. and Soviet Union to limit nuclear weapons
1973	Paris Peace Agreement	Signed with North Vietnam to end U.S. involvement in Vietnam War
1977	Panama Canal Treaties	Transferred Panama Canal to Panama effective in 1999
1985	Vienna Convention	International agreement to protect Earth's ozone layer
1993	North American Free Trade Agreement	Established duty-free trade with Canada and Mexico
1996	Counterterrorism Accord	Israel and U.S. agreed to cooperate in investigation of terrorist acts
1997	Mutual Recognition Agreement	Reduced trade barriers between the U.S. and European Community

Sources: U.S. State Department, *Treaties in Force*; Findling, *Dictionary of American Diplomatic History*, 2nd ed. (New York: Greenwood Press, 1989).

State Facts

State*	Year Admitted	Population 2006	Land Area (sq. miles)	Capital	Largest City	House Rep. 2010**
1. Delaware	1787	853,000	1,955	Dover	Wilmington	1
2. Pennsylvania	1787	12,441,000	44,820	Harrisburg	Philadelphia	18
3. New Jersey	1787	8,725,000	7,419	Trenton	Newark	12
4. Georgia	1788	9,364,000	57,919	Atlanta	Atlanta	14
5. Connecticut	1788	3,505,000	4,845	Hartford	Bridgeport	5
6. Massachusetts	1788	6,437,000	7,838	Boston	Boston	9
7. Maryland	1788	5,616,000	9,775	Annapolis	Baltimore	8
8. South Carolina	1788	4,321,000	30,111	Columbia	Columbia	7
9. New Hampshire	1788	1,315,000	8,969	Concord	Manchester	2
10. Virginia	1788	7,643,000	39,598	Richmond	Virginia Beach	11
11. New York	1788	19,306,000	47,224	Albany	New York City	27
12. North Carolina	1789	8,857,000	48,718	Raleigh	Charlotte	13
13. Rhode Island	1790	1,068,000	1,045	Providence	Providence	2
14. Vermont	1791	624,000	9,249	Montpelier	Burlington	1
15. Kentucky	1792	4,206,000	39,732	Frankfort	Louisville	6
16. Tennessee	1796	6,039,000	41,220	Nashville	Memphis	9
17. Ohio	1803	11,478,000	40,953	Columbus	Columbus	16
18. Louisiana	1812	4,288,000	43,566	Baton Rouge	Baton Rouge	6
19. Indiana	1816	6,314,000	35,870	Indianapolis	Indianapolis	9
20. Mississippi	1817	2,911,000	46,914	Jackson	Jackson	4
21. Illinois	1818	12,832,000	55,593	Springfield	Chicago	18
22. Alabama	1819	4,599,000	50,750	Montgomery	Birmingham	7
23. Maine	1820	1,322,000	30,865	Augusta	Portland	2
24. Missouri	1821	5,843,000	68,898	Jefferson City	Kansas City	8
25. Arkansas	1836	2,811,000	52,075	Little Rock	Little Rock	4
26. Michigan	1837	10,096,000	56,809	Lansing	Detroit	14
27. Florida	1845	18,090,000	53,997	Tallahassee	Jacksonville	27
28. Texas	1845	23,508,000	261,914	Austin	Houston	36
29. Iowa	1846	2,982,000	55,875	Des Moines	Des Moines	4
30. Wisconsin	1848	5,557,000	54,314	Madison	Milwaukee	8
31. California	1850	36,458,000	155,973	Sacramento	Los Angeles	53
32. Minnesota	1858	5,167,000	79,617	St. Paul	Minneapolis	8
33. Oregon	1859	3,701,000	96,003	Salem	Portland	5
34. Kansas	1861	2,764,000	81,823	Topeka	Wichita	4
35. West Virginia	1863	1,818,000	24,087	Charleston	Charleston	3
36. Nevada	1864	2,496,000	109,806	Carson City	Las Vegas	4
37. Nebraska	1867	1,768,000	76,878	Lincoln	Omaha	3
38. Colorado	1876	4,753,000	103,730	Denver	Denver	7
39. North Dakota	1889	636,000	68,994	Bismarck	Fargo	1
40. South Dakota	1889	782,000	75,898	Pierre	Sioux Falls	1
41. Montana	1889	945,000	145,556	Helena	Billings	1
42. Washington	1889	6,396,000	66,582	Olympia	Seattle	10
43. Idaho	1890	1,466,000	82,751	Boise	Boise	2
44. Wyoming	1890	515,000	97,105	Cheyenne	Cheyenne	1
45. Utah	1896	2,550,000	82,168	Salt Lake City	Salt Lake City	4
46. Oklahoma	1907	3,579,000	68,679	Oklahoma City	Oklahoma City	5
47. New Mexico	1912	1,955,000	121,365	Sante Fe	Albuquerque	3
48. Arizona	1912	6,166,000	113,642	Phoenix	Phoenix	9
49. Alaska	1959	670,000	570,374	Juneau	Anchorage	1
50. Hawaii	1959	1,285,000	6,423	Honolulu	Honolulu	2
District of Columbia	—	582,000	61	—	—	—
Puerto Rico	—	3,928,000	3,425	San Juan	San Juan	—
United States***	—	303,331,000	3,539,703	Washington, D.C.	New York City	—

* Numbers denote the order in which states were admitted

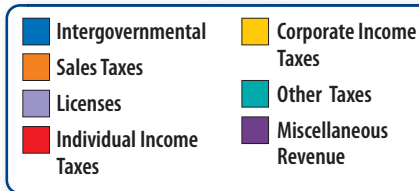
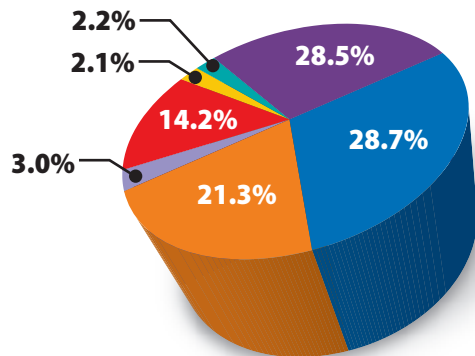
** Number of members in U.S. House of Representatives based on the 2010 U.S. Census

*** Including Puerto Rico

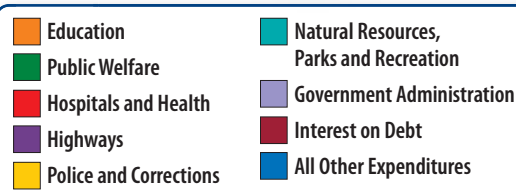
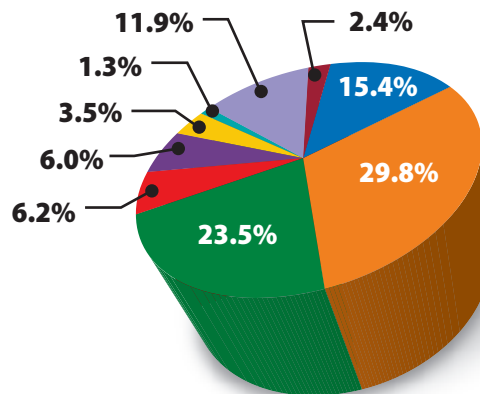
Source: The World Almanac and Book of Facts, 2008.

State Revenues and Expenditures, 2004

Revenue by Source

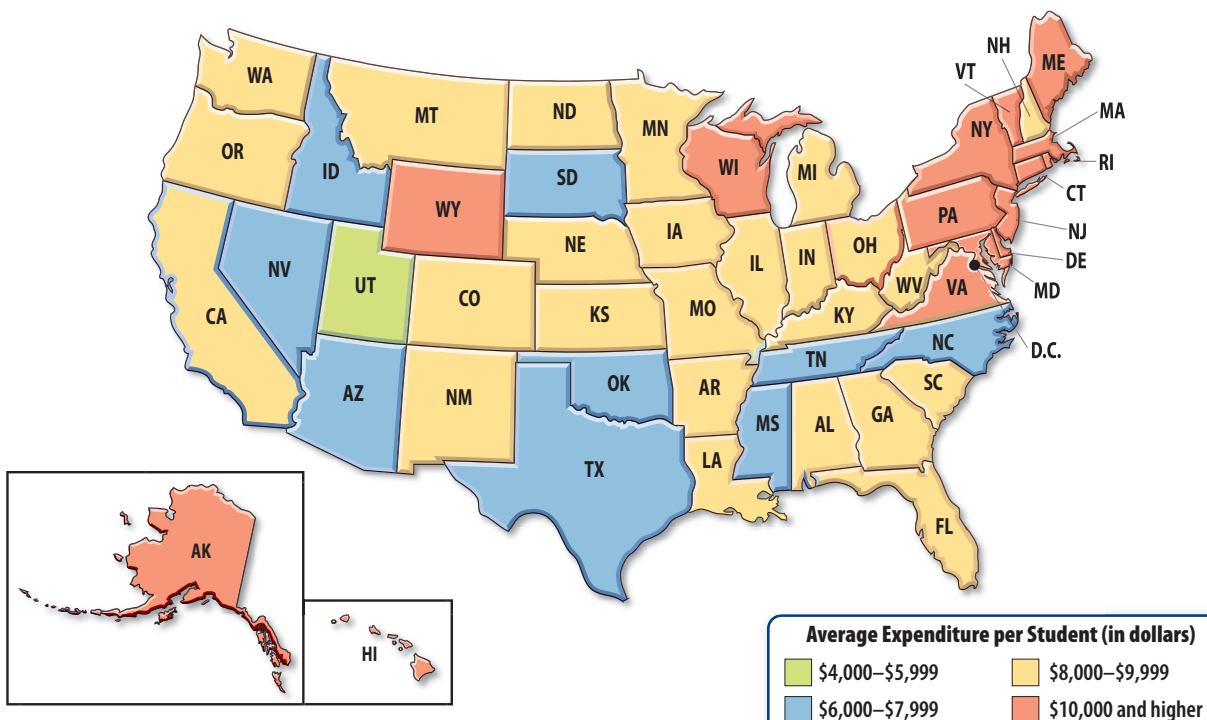


Expenditures by Type



* Percentages may not total 100% due to rounding. Source: U.S. Bureau of the Census.

State Expenditures for Public Education, 2007



Source: U.S. Bureau of the Census.

Size of State Legislatures

State	House Members	Senate Members
Alabama	105	35
Alaska	40	20
Arizona	60	30
Arkansas	100	35
California	80	40
Colorado	65	35
Connecticut	151	36
Delaware	41	21
Florida	120	40
Georgia	180	56
Hawaii	51	25
Idaho	70	35
Illinois	118	59
Indiana	100	50
Iowa	100	50
Kansas	125	40
Kentucky	100	38
Louisiana	105	39
Maine	151	35
Maryland	141	47
Massachusetts	160	40
Michigan	110	38
Minnesota	134	67
Mississippi	122	52
Missouri	163	34
Montana	100	50
Nebraska	N/A	49
Nevada	42	21
New Hampshire	400	24
New Jersey	80	40
New Mexico	70	42
New York	150	62
North Carolina	120	50
North Dakota	94	47
Ohio	99	33
Oklahoma	101	48
Oregon	60	30
Pennsylvania	203	50
Rhode Island	75	38
South Carolina	124	46
South Dakota	70	35
Tennessee	99	33
Texas	150	31
Utah	75	29
Vermont	150	30
Virginia	100	40
Washington	98	49
West Virginia	100	34
Wisconsin	99	33
Wyoming	60	30

Source: The World Almanac and Book of Facts, 2007.

State Legislators' Compensation

State	Salary	Expense allowance during session
Alabama	\$10/day*	\$2,280/month
Alaska	\$24,012	\$163–218/day
Arizona	\$24,000	\$35–60/day
Arkansas	\$14,765	\$130/day
California	\$113,098	\$162/day
Colorado	\$30,000	\$45–99/day
Connecticut	\$28,000	\$0
Delaware	\$42,000	\$0
Florida	\$30,996	\$126/day
Georgia	\$17,342	\$173/day
Hawaii	\$35,900	\$10–120/day
Idaho	\$16,116	\$49–122/day
Illinois	\$57,619	\$125/day
Indiana	\$11,600	\$137/day
Iowa	\$25,000	\$88–118/day
Kansas	\$84.80/day*	\$99/day
Kentucky	\$180.54/day*	\$108.90/day
Louisiana	\$16,800	\$138/day
Maine	\$12,713	\$70/day
Maryland	\$43,500	\$157/day
Massachusetts	\$58,237.15	\$10–100/day
Michigan	\$79,650	\$12,000/year
Minnesota	\$31,140.90	\$77–96/day
Mississippi	\$10,000	\$91/day
Missouri	\$31,351	\$79.20/day
Montana	\$82.67/day+	\$98.75/day
Nebraska	\$12,000	\$39–99/day
Nevada	\$137.90/day*	federal rate
New Hampshire	\$200	\$0
New Jersey	\$49,000	\$0
New Mexico	\$0	\$142/day
New York	\$79,500	varies
North Carolina	\$13,951	\$104/day
North Dakota	\$125/day*	up to \$900/month
Ohio	\$58,933.56	\$0
Oklahoma	\$38,400	\$122/day
Oregon	\$18,408	\$99/day
Pennsylvania	\$73,613	\$129/day
Rhode Island	\$13,089.44	\$0
South Carolina	\$10,400	\$119/day
South Dakota	\$6,000	\$110/day
Tennessee	\$18,123	\$153/day
Texas	\$7,200	\$139/day
Utah	\$130/day*	\$144/day
Vermont	\$600.78/week+	\$51–139/day
Virginia	\$18,000	\$135–140/day
Washington	\$36,311	\$90/day
West Virginia	\$15,000	\$115/day
Wisconsin	\$47,413	\$88/day
Wyoming	\$150/day+	\$85/day

* calendar day

+ legislative day

Source: National Conference of State Legislatures, www.ncsl.org, 2007.

Glossary-Glosario

abridge—amend



abridge to limit (p. 363)

absentee ballot one that allows a person to vote without going to the polls on Election Day (p. 491)

***abstract** dealing with a subject in its theoretical aspects; not concrete (p. 513)

***access** to get at (p. 519)

***accessible** easy to contact (p. 234)

***accompany** to go along with (p. 332)

***accumulate** to gather or pile up, esp. little by little (p. 725)

***acknowledge** to admit to be true (p. 361)

acreage allotment the program under which the government pays support prices for farmers' crops grown on an assigned number of acres (p. 586)

action alert a message from an interest group to its members, calling upon them to respond immediately by telephone, fax, or e-mail to a specific lawmaker, group of lawmakers, or other official (p. 546)

***adapt** to make suitable for a new or different situation (p. 76)

administrative assistant member of a lawmaker's personal staff who runs the lawmaker's office, supervises the schedule, and gives advice (p. 148)

administrative law law that spells out the authority, procedures, rules, and regulations to be followed by government agencies (p. 417)

***administrator** one who performs executive duties or manages (p. 665)

adversary system a judicial system in which opposing lawyers present their strongest cases (p. 419)

advisory opinion a ruling on a law or action that has not been challenged (p. 339)

***advocate** a supporter (p. 54)

***affect** to influence (pp. 6, 101, 515)

affidavit a statement that is written and sworn to in the presence of an authorized person, such as a notary public (p. 426)

affirmative action government policies that award jobs, government contracts, promotions, admission to schools, and other benefits to minorities and women in order to make up for past discriminations (p. 404)

***aid** help (p. 704)

alien a person who lives in a country where he or she is not a citizen (p. 391)

***allocate** to assign a portion of something (p. 109)

***alternative** a different choice (p. 224)

ambassador an official of the government who represents the nation in diplomatic matters (p. 615)

***amend** to change, alter (p. 14)

privar limitar (pág. 363)

papeleta ausente permite a una persona votar sin ir a la urna electoral en el día de elección (pág. 491)

***abstracto** trata del sujeto en sus aspectos teóricos; no concreto (pág. 513)

***acceso** llegar a algo (pág. 519)

***accesible** fácil de contactar (pág. 234)

***acompañar** ir junto con algo/alguien (pág. 332)

***acumular** juntar o apilar, especialmente, poco a poco (pág. 725)

***aceptar** admitir que es cierto (pág. 361)

asignación de acres programa bajo el cual el gobierno paga precios de apoyo para las cosechas de los agricultores cultivadas en un número de acres asignado (pág. 586)

alerta para entrar en acción mensaje de un grupo de interés a sus miembros pidiéndoles que respondan inmediatamente por teléfono, fax o correo electrónico a un dirigente político específico, grupo de congresales u otros funcionarios públicos (pág. 546)

***adaptar** adecuar para una situación nueva o diferente (pág. 76)

auxiliar administrativo miembro del personal propio de un legislador que dirige la oficina del legislador, supervisa el calendario, y da asesoramiento (pág. 148)

ley administrativa ley que estipula la autoridad, procedimientos, y reglas para ser seguidos por agencias gubernamentales (pág. 417)

***administrador** aquel que lleva a cabo deberes ejecutivos o que administra (pág. 665)

sistema adversario sistema judicial en el cual los abogados opositores presentan sus casos más sólidos (pág. 419)

opinión asesorada decisión sobre una ley o acción que no ha sido desafiada (pág. 339)

***defensor** partidario (pág. 54)

***afectar** influenciar (págs. 6, 101, 515)

affidávit una declaración que es escrita y jurada ante una persona autorizada, tal como un notario público (pág. 426)

acción afirmativa política de gobierno que les asigna trabajos, contratos gubernamentales, promociones, admisiones a escuelas, y otros beneficios a minorías y mujeres con el fin de enmendar discriminaciones pasadas (pág. 404)

***ayuda** asistencia (pág. 704)

extranjero persona que vive en un país donde no es ciudadano (pág. 391)

***adjudicar** asignar una porción de algo (pág. 109)

***alternativa** una opción diferente (pág. 224)

embajador oficial del gobierno que representa la nación en asuntos diplomáticos (pág. 615)

***enmendar** cambiar, alterar (pág. 14)

amendment a change to the Constitution (pp. 65, 102)

amicus curiae (uh•mee•kuhs KYUR•ee•eye) Latin for “friend of the court”; a written brief from an individual or group claiming to have information useful to a court’s consideration of a case (p. 333)

amnesty a group pardon to individuals for an offense against the government (pp. 254, 390)

***analyst** one who studies the parts and nature of something (p. 115)

anarchy political disorder (p. 57)

***annual** yearly (p. 247)

answer a formal response by a defendant to the charges in a complaint (p. 425)

***anticipate** to give advance thought or treatment to; to foresee or deal with in advance (p. 556)

apartheid strict segregation of the races (p. 693)

appellate jurisdiction authority held by a court to hear a case that is appealed from lower court (p. 307)

appropriation approval of government spending (p. 191)

appropriations bill a proposed law to authorize spending money (p. 160)

***arbitrary** seemingly random or by chance rather than by reason (p. 407)

***area** part of a place (p. 642)

arrest warrant an order signed by a judge naming the individual to be arrested for a specific crime (pp. 86, 430)

article one of seven main divisions of the body of the Constitution (p. 64)

***aspect** a certain view; an element of (p. 638)

***assembly** a gathering (p. 20)

assessment the complicated process involved in calculating the value of property to be taxed (p. 674)

***assign** to appoint to a duty (p. 203)

***assist** to help or aid (p. 213)

***assistant** a helper (p. 138)

at-large as a whole; for example, statewide (p. 127)

***authority** the right to command or lead (pp. 19, 96)

authorization bill a bill that sets up a federal program and specifies how much money may be appropriated for the program (p. 191)

autocracy a system of government in which the power to rule is in the hands of a single individual (p. 19)

***automatic** happening by itself, without intervention or special process (p. 393)

***available** present or ready for use, accessible, obtainable (p. 133)

***aware** knowing (p. 195)

enmienda cambio en la Constitución (págs. 65, 102)

amicus curiae término latino que significa “amigo de la corte”; un informe escrito por un individuo o un grupo afirmando tener información útil para la consideración de la corte de un caso (pág. 333)

amnistía indulto a un grupo de individuos por una ofensa en contra del gobierno (págs. 254, 390)

***analista** alguien que estudia las partes y la naturaleza de algo (pág. 115)

anarquía desorden político (pág. 57)

***anual** cada año (pág. 247)

respuesta contestación formal por un acusado a los cargos en una demanda (pág. 425)

***anticipar** pensar o tratar de antemano, prever o tratar con antelación (pág. 556)

apartheid segregación estricta de las razas (pág. 693)

jurisdicción de apelación autoridad que tiene por una corte para oír un caso que es apelado de una corte menor (pág. 307)

asignación de fondos aprobación de gastos gubernamentales (pág. 191)

proyecto de ley de asignación de fondos ley propuesta para autorizar el gasto de dinero (pág. 160)

***arbitrario** aparentemente al azar o por casualidad, en vez de usar la razón (pág. 407)

***área** parte de un lugar (pág. 642)

orden de detención orden firmada por un juez nombrando al individuo a ser arrestado por un crimen determinado (págs. 86, 430)

artículo una de las siete divisiones principales de la Constitución (pág. 64)

***aspecto** una visión determinada, un elemento de algo (pág. 638)

***asamblea** reunión (pág. 20)

tasación proceso complicado de calcular el valor de propiedad para el impuesto (pág. 674)

***asignar** designar un deber (pág. 203)

***asistir** ayudar o auxiliar (pág. 213)

***asistente** ayudante (pág. 138)

en general como un todo; por ejemplo, por todo el estado (pág. 127)

***autoridad** derecho a comandar o dirigir (págs. 19, 96)

proyecto de ley presupuestaria proyecto de ley que establece un programa federal y especifica cuánto dinero le puede ser asignado (pág. 191)

autocracia sistema de gobierno en el cual el poder para dirigir está en manos de un solo individuo (pág. 19)

***automático** que ocurre por sí mismo, sin intervención o un proceso especial (pág. 393)

***disponible** presente o listo para usar, accesible, obtenible (pág. 133)

***consciente** que sabe (pág. 195)

Glossary–Glosario

balanced budget–capitalism

B

balanced budget plan requiring that what the government spends will not exceed its income (p. 77)

***beneficiary** an individual who benefits from something (p. 488)

***benefit** something that adds to well-being, an aid (p. 15)

biased sample in polling, a group that does not accurately represent the larger population (p. 520)

bicameral relative to a two-house legislative body (p. 641)

bicameral legislature a two-chamber legislature (p. 123)

bilateral treaty agreement between two nations (p. 629)

bill a proposed law (p. 135)

bipartisan consisting of members of both major political parties (p. 620)

bloc coalition that promotes a common interest (p. 344)

block grant a grant of money to a state or local government for a general purpose (p. 658)

***bond** a government security (p. 160)

boss a powerful party leader (p. 465)

bourgeoisie capitalists who own the means of production (p. 29)

brief a written statement setting forth the legal arguments, relevant facts, and precedents supporting one side of a case (p. 333)

bureaucracy government administrators (p. 115)

bureaucrat one who works for a department or agency of the federal government; a civil servant (p. 275)

presupuesto balanceado plan financiero requiriendo que lo que el gobierno federal gasta no excederá su ingreso (pág. 77)

***beneficiario** individuo que se beneficia de algo (pág. 488)

***beneficio** algo que aporta al bienestar, una ayuda (pág. 15)

muestra sesgada en votación, un grupo que no representa exactamente la mayor población (pág. 520)

bicameral legislatura de dos cámaras (pág. 641)

legislatura bicameral legislatura de dos cámaras (pág. 123)

tratado bilateral acuerdo firmado por dos naciones (pág. 629)

proyecto de ley ley propuesta (pág. 135)

bipartidario que consta de miembros de los dos partidos políticos más grandes (pág. 620)

bloque coalición unida para promocionar un interés común (pág. 344)

otorgación general gran donación de dinero a un gobierno estatal o local para un propósito general (pág. 658)

***bono** valores del gobierno (pág. 160)

jefe poderoso líder de partido (pág. 465)

burguesía capitalistas que poseen los medios de producción (pág. 29)

informe declaración escrita exponiendo los argumentos legales, hechos relevantes, y precedentes apoyando un lado de un caso (pág. 333)

burocracia administradores gubernamentales (pág. 115)

burócrata aquél que trabaja para un departamento o agencia del gobierno federal—servidor civil (pág. 275)

C

cabinet secretaries of the executive departments, the vice president, and other top officials that help the president make decisions and policy (p. 228)

calendar a schedule that lists the order in which bills will be considered in Congress (p. 136)

campaign manager the person responsible for the overall strategy and planning of a campaign (p. 476)

canvass the vote count by the official body that tabulates election returns and certifies the winner (p. 487)

canvassing board the official body that counts votes and certifies the winner (p. 490)

***capacity** the power to produce or provide (p. 28)

capitalism an economic system providing free choice and individual incentive for workers, investors, consumers, and business enterprises (p. 27)

gabinete secretarios de los departamentos ejecutivos, el vicepresidente, y otros altos funcionarios que ayudan al presidente a tomar decisiones y hacer políticas (pág. 228)

calendario horario que enumera el orden en el cual los proyectos de ley serán considerados en el Congreso (pág. 136)

director de campaña persona responsable de la estrategia global y la planeación de una campaña (pág. 476)

escrutinio el conteo de votos hecho por el cuerpo oficial que tabula las devoluciones electorales y certifica al ganador (pág. 487)

consejo de escrutinio cuerpo oficial que cuenta los votos y certifica al ganador (pág. 490)

***capacidad** poder para producir o proveer (pág. 28)

capitalismo un sistema económico que proporciona la libertad de acción y el incentivo individual para trabajadores, inversionistas, consumidores y empresas de negocios (pág. 27)

casework the work a lawmaker does to help constituents with problems (p. 200)

caseworker a member of a lawmaker's personal staff who handles requests for help from constituents (p. 148)

***category** a classification (p. 366)

caucus a private meeting of party leaders to choose candidates for office (pp. 134, 464)

cede to yield (p. 50)

censure a vote of formal disapproval of a member's actions (p. 128)

census a population count (p. 124)

central clearance Office of Management and Budget's review of all legislative proposals that executive agencies prepare (p. 236)

***challenge** to formally question the legality of (p. 188)

checks and balances the system where each branch of government exercises some control over the others (p. 66)

***circumstance** an accessory fact or detail; state of affairs (p. 422)

***citation** an official summons to appear, as before a court (p. 430)

***civil** relating to citizens, and to the state and its citizenry (p. 696)

civil case one usually involving a dispute between two or more private individuals or organizations (p. 646)

civil law one relating to disputes among two or more individuals or between individuals and the government (pp. 103, 422)

civil rights movement the efforts to end segregation (p. 401)

civil service system practice of government employment based on competitive examinations and merit (p. 286)

***clarify** to free of confusion, make understandable (p. 578)

client group individuals and groups who work with a government agency and are most affected by its decisions (p. 295)

closed primary an election in which only members of a political party can vote (p. 465)

closed rule rule that forbids members of Congress to offer amendments to a bill from the floor (p. 190)

cloture a procedure that allows each senator to speak only 1 hour on a bill under debate (p. 140)

cluster sample a polling method that groups people by geographical divisions (p. 521)

coalition government one formed by several parties who combine forces to obtain a majority (p. 454)

***code** a collection of laws (p. 415)

trabajo particular trabajo que un legislador hace para ayudar a los constituyentes con sus problemas (pág. 200)

asistente social miembro del equipo de trabajo de un legislador que se encarga de las peticiones de ayuda de los constituyentes (pág. 148)

***categoría** clasificación (pág. 366)

junta electoral reunión privada de dirigentes del partido para escoger candidatos al gobierno (págs. 134, 464)

ceder renunciar (pág. 50)

censura voto de desaprobación formal de las acciones de un miembro (pág. 128)

censo conteo de población (pág. 124)

despacho central revisión por la Oficina de Dirección y Presupuesto de todas las propuestas legislativas que las agencias ejecutivas preparan (pág. 236)

***disputar** cuestionar formalmente la legalidad de algo (pág. 188)

control y balances sistema en que cada rama del gobierno ejerce algún control sobre los otros (pág. 66)

***circunstancia** hecho accesorio o detalle; situación actual (pág. 422)

***emplazamiento** una citación oficial para comparecer ante un tribunal (pág. 430)

***civil** relacionado a los ciudadanos, estado y ciudadanía (pág. 696)

caso civil caso generalmente tiene que ver con una disputa entre dos o más individuos privados u organizaciones (pág. 646)

ley civil relacionada a disputas entre dos o más individuos o entre individuos y el gobierno (págs. 103, 422)

movimiento de derechos civiles esfuerzos para acabar con la segregación (pág. 401)

sistema de servicio civil práctica de empleo gubernamental basada en exámenes competitivos y mérito (pág. 286)

***clarificar** sin confusiones, hacer comprensible (pág. 578)

grupo de clientes individuos y grupos que trabajan con una agencia gubernamental y que son los más afectados por sus decisiones (pág. 295)

elección preliminar cerrada una elección en que sólo los miembros de un partido político pueden votar (pág. 465)

norma cerrada regla que prohíbe a miembros del Congreso ofrecer enmiendas a un proyecto de ley haciendo uso de la palabra (pág. 190)

clausura procedimiento que permite a cada senador hablar sólo una hora sobre un proyecto de ley bajo debate (pág. 140)

muestra regional método de votación que agrupa a personas por división geográfica (pág. 521)

gobierno de coalición formado por varios partidos que unen fuerzas para obtener una mayoría (pág. 454)

***código** conjunto de leyes (pág. 415)

Glossary–Glosario

collective bargaining–conference committee

collective bargaining the practice of negotiating labor contracts (p. 581)

collective farm farm in which the land is owned by the government but rented to a family (p. 729)

collective naturalization a process by which a group of people become American citizens through an act of Congress (p. 395)

collective security a system by which the participating nations agree to take joint action against a nation that attacks any one of them (p. 629)

command economy an economic system in which the government controls the factors of production (pp. 30, 717)

***commentator** one who reports and discusses news on radio or television (p. 530)

committee staff the people who work for House and Senate committees (p. 147)

***commodity** an economic good, such as an agricultural product (p. 505)

common law law made by judges in the process of resolving individual cases (p. 418)

***communicate** to convey information about; to make known (p. 515)

communism an economic system in which the central government directs all major economic decisions (pp. 29, 718)

***community** people with common interests living in a particular area (p. 113)

comparative advantage economic principle that each country should produce those goods it can make more efficiently and trade for other goods (p. 732)

compensation salary (p. 214)

complaint a legal document filed with the court that has jurisdiction over the problem (p. 425)

***complex** involved, not simple (p. 146)

***component** a part (p. 591)

***comprehensive** including much; covering completely (p. 710)

***compromise** to come to agreement by mutual concession (p. 462)

***concept** idea (p. 68)

***conclude** to determine or make up one's mind (p. 238)

concurrent jurisdiction authority shared by both federal and state courts (p. 306)

concurrent powers powers that both the national government and the states have (p. 97)

***conduct** to manage, direct (p. 79)

confederacy a loose union of independent states (p. 13)

***confer** to compare views, consult (p. 560)

conference committee a temporary joint committee set up when the House and the Senate have passed different versions of the same bill (p. 144)

negociación colectiva práctica de negociar contratos laborales (pág. 581)

granja colectiva ejido en el cual la tierra es propiedad del gobierno pero arrendada a una familia (pág. 729)

naturalización colectiva proceso por el cual los miembros de un grupo llegan a ser ciudadanos americanos por medio de un acto del Congreso (pág. 395)

seguridad colectiva un sistema en el cual las naciones participantes acuerdan tomar acción unida en contra de una nación que ataque a cualquiera de ellas (pág. 629)

economía de mando un sistema económico en el cual el gobierno controla los elementos de producción (págs. 30, 717)

***comentarista** alguien que informa y discute las noticias en radio o televisión (pág. 530)

personal del comité personas que trabajan para los comités de la Cámara y el Senado (pág. 147)

***mercancía** bienes económicos, tales como un producto agrícola (pág. 505)

ley común ley hecha por jueces en el proceso de resolver casos individuales (pág. 418)

***comunicar** transmitir información de algo; dar a conocer algo (pág. 515)

comunismo sistema económico en el cual el gobierno central dirige todas las importantes decisiones económicas (págs. 29, 718)

***comunidad** personas con intereses en común que viven en un área en particular (pág. 113)

ventaja comparativa principio económico en el cual cada país debe hacer aquellos productos que puede elaborar eficientemente e intercambiar por otros productos (pág. 732)

compensación salario (pág. 214)

queja documento legal presentado en la corte que tiene jurisdicción sobre el problema (pág. 425)

***complejo** complicado; que no es simple (pág. 146)

***componente** una parte (pág. 591)

***comprensivo** que incluye mucho; que cubre completamente (pág. 710)

***compromiso** llegar a un acuerdo por concesión mutua (pág. 462)

***concepto** idea (pág. 68)

***concluir** determinar o decidirse (pág. 238)

jurisdicción conjunta autoridad compartida por las cortes federales y estatales (pág. 306)

poderes comunes poderes tanto del gobierno nacional como de los gobiernos estatales (pág. 97)

***conducir** manejar, dirigir (pág. 79)

confederación unión suelta de estados independientes (pág. 13)

***conferir** comparar puntos de vista, consultar (pág. 560)

comité de conferencia comité común temporal creado cuando la Cámara y el Senado han aprobado diferentes versiones del mismo proyecto de ley (pág. 144)

- *confirm** to make sure of (p. 487)
- conscription** compulsory military service; also called a draft (p. 625)
- consensus** an agreement about basic beliefs (p. 6)
- *consequence** something produced by a cause or action (p. 191)
- *considerable** of substantial size or importance (p. 624)
- consolidated democracy** a nation that has democratic elections, political parties, constitutional government, an independent judiciary, and usually a market economy (p. 689)
- constituent** a person whom a member of Congress has been elected to represent (p. 133)
- *constitute** to make up, form, compose (p. 137)
- *constitution** a plan that provides the rules for government (pp. 13, 47)
- constitutional commission** a group of experts appointed to study a state constitution and recommend changes (p. 640)
- constitutional convention** a gathering of citizens elected to consider changing or replacing a constitution (p. 639)
- constitutional government** a government in which a constitution has authority to place clearly recognized limits on the powers of those who govern (p. 13)
- constitutional law** law that involves the interpretation and application of the U.S. Constitution and state constitutions (pp. 14, 416)
- consul** a government official who heads a consulate in a foreign nation (p. 623)
- consulate** office that promotes American business and safeguards its travelers in a foreign country (p. 623)
- *consult** to ask for advice (p. 616)
- *consumer** a buyer and user (p. 27)
- containment** the policy designed to keep the Soviet Union from expanding its power (p. 610)
- contempt** willful obstruction of justice (p. 168)
- *contract** a set of voluntary promises, enforceable by the law, between two or more parties (pp. 37, 422)
- *contradict** to assert the contrary of, to imply the opposite of (p. 417)
- *contrast** the difference between things that are of similar natures (p. 72)
- *contribute** to give or supply in company with others (p. 196)
- *controversial** debatable; arousing differences of opinion (p. 593)
- *convention** a meeting (p. 77)
- *confirmar** demostrar o verificar (pág. 487)
- conscripción** servicio military obligatorio, también llamada la quinta (pág. 625)
- consenso** acuerdo sobre creencias básicas (pág. 6)
- *consecuencia** algo que se produce por una causa o acción (pág. 191)
- *considerable** que tiene un tamaño o importancia sustancial (pág. 624)
- democracia consolidada** nación que tiene elecciones democráticas, partidos políticos, gobierno constitucional, judicatura independiente, y generalmente una economía de mercados (pág. 689)
- constituyente** persona a la cual un miembro del Congreso ha elegido para representar (pág. 133)
- *constituir** inventar, formar, componer (pág. 137)
- constitución** plan que provee las normas para el gobierno (págs. 13, 47)
- comisión constitucional** grupo de expertos designados para estudiar la constitución de un estado y recomendar cambios (pág. 640)
- convención constitucional** junta de ciudadanos electos para considerar el cambio o reemplazo de una constitución (pág. 639)
- gobierno constitucional** gobierno en el cual una constitución tiene la autoridad de establecer límites claramente reconocidos en los poderes de aquellos que gobiernan (pág. 13)
- ley constitucional** ley que involucra la interpretación y la aplicación de la Constitución de EE.UU. y constituciones estatales (págs. 14, 416)
- cónsul** funcionario gubernamental que encabeza un consulado en una nación extranjera (pág. 623)
- consulado** oficina que promueve los intereses comerciales americanos en un país extranjero y guarda a los viajeros de su nación en ese país (pág. 623)
- *consultar** pedir consejos (pág. 616)
- *consumidor** comprador y usuario (pág. 27)
- contención** política diseñada para prohibir que la Unión Soviética expandiera sus poderes (pág. 610)
- rebeldía** obstrucción voluntaria de la justicia (pág. 168)
- *contrato** conjunto de promesas voluntarias, que se pueden hacer cumplir a fuerza de ley, entre dos o más partidos (págs. 37, 422)
- *contradecir** afirmar lo contrario de algo, insinuar lo opuesto de algo (pág. 417)
- *contraste** diferencia entre las cosas que tienen una naturaleza similar (pág. 72)
- *contribuir** dar o suplir en compañía de otros (pág. 196)
- *controversial** debatible; suscitar las diferencias de opinión (pág. 593)
- *convención** reunión (pág. 77)

Glossary-Glosario

convert-design

- ***convert** to alter the nature or properties of, especially in manufacturing; to change from one form or function to another (p. 718)
- ***convince** to make someone believe something (p. 106)
- ***cooperate** to act together for mutual benefit (p. 458)
- ***coordinate** to arrange and organize (p. 149)
- ***core** the basic, essential part; the essential meaning (p. 392)
- corporate charter** a document that gives a corporation legal status (p. 648)
- counsel** an attorney (p. 439)
- county** the largest political subdivision of a state (p. 664)
- county board** the governing body of most counties (p. 664)
- covert** secret (p. 266)
- criminal case** one in which the state brings charges against a citizen for violating the law (p. 646)
- criminal justice system** system of state and federal courts, police, and prisons that enforces criminal law (p. 429)
- criminal law** one that defines crimes and provides for their punishment (p. 429)
- cross-pressured voter** one who is caught between conflicting elements in his or her own life (p. 493)

- ***convertir** alterar la naturaleza o las propiedades de algo, especialmente en la manufactura; cambiar de una forma o función hacia otra (pág. 718)
- ***convencer** hacer que alguien crea en algo (pág. 106)
- ***cooperar** actuar juntos para el beneficio mutuo (pág. 458)
- ***coordinar** arreglar y organizar (pág. 149)
- ***núcleo** parte básica, esencial; significado esencial (pág. 392)
- estatuto de corporación** documento que da el estatus legal a una sociedad anónima (pág. 648)
- asesor jurídico** abogado (pág. 439)
- condado** la mayor subdivisión territorial y política de un estado (pág. 664)
- consejo del condado** organismo de gobierno de la mayoría de los condados (pág. 664)
- cubierto** secreto (pág. 266)
- caso criminal** uno en el cual el estado lleva cargos contra un ciudadano por violar la ley (pág. 646)
- sistema de justicia criminal** sistema de cortes estatales y federales, policías y prisiones que hacen cumplir la ley criminal (pág. 429)
- ley criminal** aquella que define crímenes y provee para su castigo (pág. 429)
- votante bajo presión** aquel que se encuentra atrapado entre elementos conflictivos en su propia vida (pág. 493)



- ***data** facts, information (p. 277)
- ***decline** to become less, change to poorer condition (p. 600)
- de facto** existing “in fact” rather than legally (p. 266)
- defamatory speech** false speech that damages a person’s good name, character, or reputation (p. 369)
- defendant** the person against whom a civil or criminal suit is brought in court (p. 424)
- delegated powers** powers the Constitution grants or delegates to the national government (p. 95)
- democracy** government in which the people rule (p. 20)
- ***demonstration** a public display of feelings about a cause or person (p. 85)
- denaturalization** the loss of citizenship through fraud or deception during the naturalization process (p. 395)
- ***deny** to refuse to grant (p. 357)
- dependent** one who relies primarily on another person for basic needs (p. 556)
- deregulate** to reduce regulations (p. 281)
- ***derive** to come from; are given by (p. 306)
- ***design** a pattern (p. 253)

- ***datos** hechos, información (pág. 277)
- ***declinar** hacerse menos, cambiar a una condición más pobre (pág. 600)
- de facto** existiendo de hecho en vez de legalmente (pág. 266)
- expresión difamatoria** discurso falso que deteriora el buen nombre, carácter o reputación de una persona (pág. 369)
- acusado** persona contra la cual una demanda civil o criminal es traída (pág. 424)
- poderes delegados** poderes que la Constitución otorga o delega al gobierno nacional (pág. 95)
- democracia** gobierno en el cual la gente manda (pág. 20)
- ***demonstración** muestra pública de los sentimientos relacionados a una causa o persona (pág. 85)
- desnaturalización** pérdida de la ciudadanía por causa de fraude o decepción durante el proceso de naturalización (pág. 395)
- ***denegar** rehusarse a conceder (pág. 357)
- dependiente** aquel que depende principalmente de otra persona para la necesidades básicas (pág. 556)
- desregular** reducir los reglamentos (pág. 281)
- ***derivar** venir de; estar dado (pág. 306)
- ***diseñar** patrón (pág. 253)

developing nation a nation that is only beginning to develop industrially (pp. 16, 722)

***device** a piece of equipment or a mechanism designed to serve a special purpose or perform a special function (p. 483)

***devote** to commit to an activity (p. 139)

***diminish** to lessen the impact or reduce (p. 484)

direct primary an election in which party members select people to run in the general election (p. 465)

discount rate the interest rate the Federal Reserve System charges member banks for loans (p. 569)

discovery process in which both sides prepare for a trial by gathering evidence to support their case (p. 425)

discrimination unfair treatment of individuals based solely on their race, gender, ethnic group, age, physical disability, or religion (p. 399)

***displacement** substitution of one thing or group for another (p. 681)

***display** to put or spread before the view, to make evident (p. 664)

***disposal** the act of getting rid of (p. 670)

dissenting opinion the opinion expressed by a minority of justices in a Supreme Court case (p. 335)

***distribute** to give out or disburse to clients, customers, or members of a group (p. 476)

***diverse** different, unlike (p. 405)

***domestic** of, relating to, or originating within a country, esp. one's own country (p. 721)

***dominant** being in a state or position of command or control over all others (p. 481)

double jeopardy retrial of a person who was acquitted in a previous trial for the same crime (p. 441)

***draft** rough copy of a written piece (p. 46)

***dramatically** excitingly, strikingly (p. 42)

due process principle in the Fifth Amendment stating that the government must follow proper constitutional procedures in trials and in other actions it takes against individuals (pp. 86, 419)

due process clause Fourteenth Amendment clause stating that no state may deprive a person of life, liberty, or property without due process of law (p. 309)

***dynamic** forceful, energetic (p. 67)

país en desarrollo nación apenas comenzando a desarrollarse industrialmente (págs. 16, 722)

***aparato** mecanismo diseñado para un propósito específico o para llevar a cabo una función especial (pág. 483)

***dedicar** comprometerse con una actividad (pág. 139)

***disminuir** mermar el impacto o reducir (p. 484)

elección preliminar directa elección en la cual miembros del partido seleccionan a personas para postularse en la elección general (pág. 465)

tipo de descuento tasa de interés que el Sistema de Reserva Federal les cobra a los bancos que son miembros por préstamos (pág. 569)

descubrimiento proceso cuando ambos lados preparan para un juicio reuniendo evidencia para apoyar su caso (pág. 425)

discriminación tratamiento injusto de individuos basado sólo en su raza, género, grupo étnico, edad, incapacidad física o religión (pág. 399)

***desplazamiento** sustituir una cosa o grupo por otro (pág. 681)

***mostrar** poner o propagar a la vista, hacer evidente (pág. 664)

***disponer** deshacerse de algo (pág. 670)

opinión disidente opinión expresada por una minoría de jueces en un caso de la Corte (pág. 335)

***distribuir** dividir o repartir un grupo (pág. 476)

***diverso** diferente, distinto (pág. 405)

***doméstico** de o relacionado a, o que se origina dentro de un país, especialmente en el país propio (pág. 721)

***dominante** estar en un estado o posición de mando o control sobre todos los demás (pág. 481)

doble riesgo nuevo juicio de una persona que fue absuelto en un juicio previo por el mismo crimen (pág. 441)

***borrador** escrito provisional (pág. 46)

***dramáticamente** apasionadamente, notablemente (pág. 42)

debido proceso un principio en la Quinta Enmienda que establece que el gobierno debe seguir los procedimientos constitucionales propios en juicios y en otras acciones que toma en contra de individuos (págs. 86, 419)

cláusula de proceso legal correspondiente cláusula en la Decimocuarta Enmienda que establece que ningún estado puede privar a una persona de vida, libertad o propiedad sin el proceso legal correspondiente (pág. 309)

***fuerte** enérgico (pág. 67)



economics the study of human efforts to satisfy seemingly unlimited wants through the use of limited resources (p. 26)

economía estudio de los esfuerzos humanos para satisfacer los deseos aparentemente ilimitados por el uso de recursos limitados (pág. 26)

Glossary–Glosario

elastic clause–ethics

elastic clause clause in Article I, Section 8, of the Constitution that gives Congress the right to make all laws “necessary and proper” to carry out the powers expressed in the other clauses of Article I (pp. 69, 96)

elector member of a party chosen in each state to formally elect the president and vice president (p. 220)

electoral vote the official vote for president and vice president by electors in each state (p. 220)

electronic mailing list an automated e-mail notification that provides subscribers with current information on a topic (p. 545)

electronic petition a message that asks the recipient to “sign” his or her name electronically to a request that will be sent to an official (p. 546)

***eliminate** to remove from further competition by defeating (p. 468)

embargo an agreement prohibiting trade (p. 44)

embassy an ambassador’s official residence and offices in a foreign country (pp. 276, 623)

eminent domain the power of the government to take private property for public use (p. 86)

***emphasize** to stress, give importance to (p. 308)

enabling act the first step in the state admission procedure, which enables the people of a territory to prepare a constitution (p. 99)

enemy alien a citizen of a nation with which the United States is at war (p. 391)

***enforce** to carry out effectively (p. 245)

***ensure** to make sure; to guarantee (p. 377)

entitlement a required government expenditure that continues from one year to the next (pp. 192, 561)

entrepreneur a person who takes a risk to produce goods and services in search of profit (p. 718)

enumerated powers the expressed powers of Congress that are itemized and numbered 1–18 in Article I, Section 8, of the Constitution (p. 69)

***environmental** having to do with air, water, land, and other natural resources (p. 586)

***equip** to furnish for action, prepare (p. 504)

equity a system of rules by which disputes are resolved on the grounds of fairness (p. 418)

***establish** to set up (p. 36)

establishment clause the First Amendment guarantee that “Congress shall make no law respecting an establishment of religion” (p. 358)

***estimate** an approximate calculation (p. 556)

***ethics** set of moral principles; system of moral values (p. 167)

cláusula elástica cláusula en el Artículo I, Sección 8 de la Constitución que otorga al Congreso el derecho de hacer todas las leyes “necesarias y propias” para llevar a cabo los poderes expresados en las otras cláusulas del Artículo I (págs. 69, 96)

elector miembro de un partido político escogido en cada estado para elegir formalmente al presidente y vicepresidente (pág. 220)

voto electoral voto oficial para presidente y vicepresidente por los electores en cada estado (pág. 220)

lista de correo electrónico notificación automática por correo electrónico que provee a los suscriptores información al día acerca de un tema (pág. 545)

petición electrónica mensaje en que se le pide a quien lo recibe que “firme” su nombre electrónicamente en una petición que se le enviará a un funcionario público (pág. 546)

***eliminar** descartar de una futura competencia por medio de la derrota (pág. 468)

embargo acuerdo que prohíbe el comercio (pág. 44)

embajada residencia y oficinas oficiales de un embajador en un país extranjero (págs. 276, 623)

dominio eminente poder del gobierno de tomar propiedades privadas para el uso público (pág. 86)

***enfaticar** recalcar, dar importancia a algo (pág. 308)

acto capacitador primer paso en el procedimiento de admisión de un estado el cual permite a la gente de un territorio preparar una constitución (pág. 99)

enemigo extranjero ciudadano de una nación contra la cual Estados Unidos está en guerra (pág. 391)

***imponer** llevar a cabo efectivamente (pág. 245)

***asegurar** afirmar; garantizar (pág. 377)

derecho obligatorio gasto gubernamental requerido que continúa de un año al otro (págs. 192, 561)

empresario persona que se arriesga a producir bienes y servicios en busca de ganancias (pág. 718)

poderes enumerados poderes expresados del Congreso que son especificados y numerados de 1 al 18 en el Artículo I, Sección 8 de la Constitución (pág. 69)

***ambiental** relacionado al aire, agua, tierra y otros recursos naturales (pág. 586)

***equipar** proporcionar para la acción, preparar (pág. 504)

equidad sistema de normas por el cual las disputas son resueltas basado en lo que es justo (pág. 418)

***establecer** fundar (pág. 36)

cláusula de establecimiento garantía de la Primera Enmienda que el Congreso “no hará ninguna ley respecto al establecimiento de religión” (pág. 358)

***estimar** cálculo estimado (pág. 556)

***ética** conjunto de principios morales; sistema de valores morales (pág. 167)

***evaluate** to determine the significance or worth of through careful study (p. 562)

***evidence** an outward sign; something that furnishes proof (p. 436)

excise tax tax on the manufacture, transportation, sale, or consumption of certain items such as gasoline, liquor, or cigarettes (p. 657)

***exclusion** keeping out (p. 373)

exclusionary rule a law stating that illegally obtained evidence cannot be used in a federal court (p. 437)

executive agreement an agreement made between the president and a head of state (pp. 80, 257, 619)

executive order a rule issued by the president that has the force of law (p. 253)

executive privilege the right of the president and other high-ranking executive officers to refuse to testify before Congress or a court (p. 266)

expatriation giving up one's citizenship by leaving to live in a foreign country (p. 395)

***expert** an individual who has mastered a particular subject or skill (p. 147)

***explicit** fully expressed without vagueness; leaving no question as to meaning or intent (p. 423)

***export** something that is sold and sent to another country as part of international trade (p. 656)

***expose** to make known, bring to light, disclose the faults of (p. 529)

expressed contract a contract in which the terms are specifically stated, usually in writing (p. 422)

expressed powers powers directly stated in the Constitution (pp. 69, 95, 157)

extradite to return a criminal or fugitive who flees across state lines back to the original state (p. 103)

extradition the legal procedure through which a person accused of a crime who has fled to another state is returned to the state where the crime took place (p. 651)

extralegal not sanctioned by law (p. 57)

***evaluar** determinar el significado o valor de algo a través de un estudio cuidadoso (pág. 562)

***evidencia** signo externo; algo que sirve como prueba (pág. 436)

impuesto indirecto impuesto en la manufactura, transportación, venta o consumo de ciertos artículos tales como gasolina, licor o cigarrillos (pág. 657)

***excluir** dejar fuera (pág. 373)

norma de exclusión ley que establece que cualquier evidencia obtenida ilegalmente no puede ser usada en una corte federal (pág. 437)

acuerdo ejecutivo acuerdo hecho entre el presidente y un jefe de estado (págs. 80, 257, 619)

orden ejecutiva norma emitida por el presidente que tiene fuerza de ley (pág. 253)

privilegio ejecutivo derecho del presidente y otros altos funcionarios a rehusarse testificar ante el Congreso o una corte (pág. 266)

expatriación renunciar a la ciudadanía al irse a vivir en un país extranjero (pág. 395)

***experto** individuo que ha dominado un tema o destreza particular (pág. 147)

***explícito** sin vaguedad; expresado en su totalidad, sin dejar cuestionamientos sobre el significado o la intención (pág. 423)

***exportar** algo que se vende y se envía a otro país como parte del comercio internacional (pág. 656)

***exponer** dar a conocer, sacar a la luz, revelar las faltas de algo/alguien (pág. 529)

contrato expresado contrato en el cual los términos son específicamente establecidos, generalmente por escrito (pág. 422)

poderes expresados poderes establecidos directamente en la Constitución (págs. 69, 95, 157)

extraditar traer de vuelta a su estado de origen a un criminal o fugitivo que cruza los límites estatales al huir (pág. 103)

extradición proceso legal a través del cual una persona acusada de un crimen que ha huido a otro estado es regresado al estado que no está donde el crimen tuvo lugar (pág. 651)

extralegal no permitido por ley (pág. 57)



***facility** something built or established to serve a particular purpose (p. 192)

***factor** part of a product or concept (p. 514)

factors of production resources that an economy needs to produce goods and services (p. 718)

fairness doctrine rule requiring broadcasters to provide opportunities for the expression of opposing views on issues of public importance (p. 538)

***feature** a prominent part or characteristic (p. 668)

***instalaciones** algo que se construye o se establece para servir un propósito particular (pág. 192)

***factor** parte de un producto o concepto (pág. 514)

elementos de producción recursos que una economía necesita para producir bienes y servicios (pág. 718)

doctrina justa norma que requiere que los medios de difusión proporcionen oportunidades para la expresión de ideas opuestas en temas de importancia pública (pág. 538)

***rasgo** parte o característica prominente (pág. 668)

Glossary–Glosario

federal bureaucracy–gag order

federal bureaucracy departments and agencies of the federal government—mostly the executive branch (p. 72)

federalism a system in which power is divided between the national and state governments (p. 65)

federal system a government that divides the powers of government between the national government and state or provincial governments (p. 13)

***fee** a cost for service (p. 675)

felony a major crime (p. 430)

***file** to register as a candidate; to place among official records as prescribed by law (p. 465)

filibuster a method of defeating a bill in the Senate by stalling the legislative process and preventing a vote (p. 139)

***finance** to provide necessary funds for (p. 650)

fiscal policy a government's use of spending and taxation to influence the economy (p. 567)

fiscal year a 12-month accounting period (p. 560)

foreign policy the strategies and goals that guide a nation's relations with other countries (p. 607)

***format** general plan of organization, arrangement, or choice of material (p. 540)

***formula** a set method for doing or calculating something (p. 389)

***formulate** to put into a systematized statement or expression (p. 123)

forum medium for discussion (p. 249)

***foundation** basis (p. 343)

***framework** basic structure (p. 628)

free enterprise the opportunity to control one's own economic decisions (p. 24)

free exercise clause the First Amendment guarantee that prohibits government from unduly interfering with the free exercise of religion (p. 358)

free market economic system in which buyers and sellers make free choices in the marketplace (p. 27)

front-runner the early leader in an election (p. 531)

***function** to serve, to operate (p. 344)

***fund** financial capital (p. 216)

***fundamental** basic (p. 607)

fundamental right a basic right of the American system or one that is indispensable in a just system (p. 399)

burocracia federal departamentos del gobierno federal, en su mayoría de la rama ejecutiva (pág. 72)

federalismo sistema en el cual el poder es dividido entre los gobiernos nacionales y estatales (pág. 65)

sistema federal gobierno que divide los poderes del gobierno entre el gobierno nacional y los gobiernos de los estados o provincias (pág. 13)

***honorario** costo por servicio (pág. 675)

crimen delito grave (pág. 430)

***presentar** registrarse como candidato; colocar entre registros oficiales como prescribe la ley (pág. 465)

obstruccionismo método de derrotar un proyecto de ley en el senado al demorar el proceso legislativo y evitar un voto (pág. 139)

***financiar** proveer los fondos necesarios (pág. 650)

política fiscal uso por parte del gobierno de gastos e impuestos para influenciar la economía (pág. 567)

año fiscal periodo de contabilidad de 12 meses (pág. 560)

política exterior estrategias y metas que guían las relaciones de una nación con otros países (pág. 607)

***formato** plan general de organización, arreglo o selección de material (pág. 540)

***fórmula** método establecido para hacer o calcular algo (pág. 389)

***formular** poner en un hecho o expresión sistematizada (pág. 123)

foro medio para discusión (pág. 249)

***fundamento** base (pág. 343)

***armazón** estructura básica (pág. 628)

empresa libre oportunidad de controlar sus propias decisiones económicas (pág. 24)

cláusula de libre ejercicio garantía en la Primera Enmienda que prohíbe al gobierno interferir sin causa con el libre ejercicio de la religión (pág. 358)

mercado libre sistema económico en el cual los compradores y los vendedores hacen decisiones libres en el mercado (pág. 27)

candidato favorito líder a principios de una elección (pág. 531)

***función** servir, operar (pág. 344)

***fondo** capital financiero (pág. 216)

***fundamental** básico (pág. 607)

derecho fundamental derecho básico del sistema estadounidense o uno que es indispensable en un sistema justo (pág. 399)

gag order an order by a judge barring the press from publishing certain types of information about a pending court case (p. 373)

orden de supresión orden de un juez que prohíbe a la prensa publicar ciertos tipos de información sobre un caso judicial pendiente (pág. 373)



***gender** an individual's sex, male or female (p. 228)

***generate** to produce; to be the cause of (p. 262)

gentrification the phenomenon of new people moving into a neighborhood, forcing out those who live there, and changing the area's essential character (p. 681)

gerrymander to draw a district's boundaries to gain an advantage in elections (p. 126)

***global** worldwide (p. 544)

***goal** aim, purpose (p. 14)

government the institution through which the state maintains social order, provides public services, and enforces binding decisions on citizens (p. 8)

government corporation a business that the federal government runs (p. 279)

grandfather clause an exemption in a law for a certain group based on previous conditions (p. 483)

grand jury group that hears charges against a suspect and decides whether there is sufficient evidence to bring the person to trial (pp. 312, 431)

gross domestic product (GDP) the sum of all goods and services produced in a nation in a year (p. 568)

***guarantee** to assure fulfillment of a condition; to promise (p. 355)

***guideline** an indication or outline of policy or conduct (p. 292)

***sexo** género, masculino o femenino, de un individuo (pág. 228)

***generar** producir, ser la causa de algo (pág. 262)

gentificación fenómeno de nueva gente mudándose a un vecindario, echando afuera aquellos que viven ahí, y cambiando el carácter esencial del área (pág. 681)

gerrymander trazar los límites de un distrito para ganar ventaja en las elecciones (pág. 126)

***global** mundial (pág. 544)

***meta** objetivo, propósito (pág. 14)

gobierno institución por medio de la cual el estado mantiene el orden social, proporciona servicios públicos, e impone decisiones obligatorias para los ciudadanos (pág. 8)

corporación gubernamental empresa dirigida por el gobierno federal (pág. 279)

cláusula abuelo exención en una ley para un cierto grupo basada en condiciones previas (pág. 483)

gran jurado grupo que escucha cargos en contra de una persona sospechosa y decide si hay suficiente evidencia para someter la persona a juicio (págs. 312, 431)

producto nacional bruto total de bienes y servicios producidos en una nación en un año (pág. 568)

***garantizar** asegurar el cumplimiento de una condición; prometer (pág. 355)

***pauta** indicación o bosquejo de una política o conducta (pág. 292)

H

hearing a session at which a committee listens to testimony from people interested in the bill (p. 184)

heckler's veto public veto of free speech and assembly rights of unpopular groups by claiming demonstrations will result in violence (p. 379)

house arrest a sentence that requires an offender to stay at home except for certain functions the court permits (p. 652)

human rights fundamental freedoms (pp. 355, 710)

hung jury a jury that is unable to reach a decision (p. 434)

audiencia sesión en la cual un comité escucha el testimonio de gente interesada en el proyecto de ley (pág. 184)

heckler's veto veto público de la libre expresión y derechos de asamblea de grupos impopulares al declarar que las demostraciones resultarán en violencia (pág. 379)

arresto domiciliario sentencia que requiere a un ofensor quedarse en casa a excepción de ciertas funciones que la corte permite (pág. 652)

derechos humanos libertades fundamentales (págs. 355, 710)

jurado indeciso jurado que no puede tomar una una decisión (pág. 434)

I

***ideology** a set of basic beliefs about life, culture, government, and society (pp. 454, 736)

***ignore** to pay no attention to (p. 285)

***illegal** against the law (p. 399)

image mental picture (p. 476)

ideología conjunto de creencias básicas sobre la vida, cultura, gobierno y sociedad (págs. 454, 736)

***ignorar** no prestar atención (pág. 285)

***ilegal** en contra de la ley (pág. 399)

imagen representación mental (pág. 476)

Glossary–Glosario

immunity–inherent powers

immunity freedom from prosecution for witnesses whose testimony ties them to illegal acts (p. 169)

***impact** a significant or major effect (p. 399)

impeach to accuse a public official of misconduct in office (p. 79)

impeachment a formal accusation of misconduct in office against a public official (p. 164)

***implement** to put into effect (p. 291)

implied contract a contract in which the terms are not expressly stated but can be inferred from the actions of the people involved and the circumstances (p. 422)

implied powers powers the government requires to carry out its expressed constitutional powers (pp. 96, 157)

***impose** to establish or apply by authority (p. 557)

impound to refuse to spend (p. 337)

impoundment the president's refusal to spend money Congress has voted to fund a program (pp. 175, 253)

***inadequate** insufficient (p. 678)

***incentive** something that has a tendency to incite to determination or action; motive (p. 729)

***income** money taken in by an individual or a corporation (p. 656)

income tax the tax levied on individual and corporate earnings (p. 108)

***incorporation** the process by which a municipal government can be formed when a group of people asks the state legislature to legally set up a government in their community (pp. 357, 666)

***incorporation doctrine** a process that extended the protections of the Bill of Rights against the actions of state and local governments (p. 84)

incrementalism the term used to explain that the total budget changes little from year to year (p. 564)

incumbent elected official who is already in office (p. 129)

independent a voter who does not support any particular party (p. 459)

***indication** something that points out, as a sign or symbol (p. 520)

indictment a formal charge by a grand jury (pp. 313, 431)

industrialized nation a nation with large industries and advanced technology that provides a more comfortable way of life than developing nations (p. 16)

information a sworn statement by the prosecution that there is sufficient evidence for a trial (p. 432)

***infrastructure** the basic facilities of a city, such as paved streets and sidewalks, water pipes, sewers, bridges, and public buildings (pp. 567, 680)

***inherently** of the essential character of something (p. 347)

inherent powers powers the national government may exercise simply because it is a government (p. 96)

inmunidad libertad de enjuiciamiento de los testigos, cuyo testimonio los vincula a actos ilegales (pág. 169)

***impacto** efecto significativo o notable (pág. 399)

acusar acusar a un funcionario público de mala conducta en su cargo (pág. 79)

acusación acusación formal por mala conducta en un cargo en contra de un oficial público (pág. 164)

***implementar** entrar en vigor (pág. 291)

contrato implícito contrato en el cual los términos no son expresamente citados pero pueden ser deducidos de las acciones de la gente involucrada y las circunstancias (pág. 422)

poderes implícitos poderes que el gobierno requiere para llevar a cabo los poderes constitucionales expresados (págs. 96, 157)

***imponer** establecer o aplicar por autoridad (pág. 557)

confiscar rehusar a gastar (pág. 337)

confiscamiento negativa del presidente de gastar el dinero que el Congreso ha votado para financiar un programa (págs. 175, 253)

***inadecuado** insuficiente (pág. 678)

***incentivo** algo que tiene una tendencia a incitar hacia la determinación o acción; motivo (pág. 729)

***ingresos** dinero ganado por un individuo o una corporación (pág. 656)

impuesto a los ingresos impuesto recaudado en ganancias individuales y corporativas (pág. 108)

***incorporación** proceso por el cual un gobierno municipal puede ser formado cuando un grupo de personas solicita a la asamblea legislativa estatal que establezca legalmente un gobierno en su comunidad (págs. 357, 666)

***doctrina de incorporación** proceso que extiende la protección de la Declaración de Derechos en contra de las acciones de gobiernos estatales y locales (pág. 84)

incrementalismo término usado para explicar que el presupuesto total cambia poco de un año al otro (pág. 564)

titular funcionario gubernamental que ya ocupa el cargo (pág. 129)

independiente votante que no apoya a un partido político en particular (pág. 459)

***indicación** algo que señala, como un símbolo o signo (pág. 520)

acusación acusación formal por un gran jurado (págs. 313, 431)

nación industrializada nación con grandes industrias y tecnología avanzada que proporciona una forma de vida más cómoda que la de las naciones en desarrollo (pág. 16)

información declaración jurada por la fiscalía que afirma que hay suficiente evidencia para un juicio (pág. 432)

infraestructura instalaciones básicas de una ciudad, tales como calles y aceras pavimentadas, tubería de agua, puentes, y edificios públicos (págs. 567, 680)

***inherente** carácter esencial de algo (pág. 347)

poderes inherentes poderes que el gobierno nacional puede ejercitar simplemente porque es un gobierno (pág. 96)

- *initial** the first (p. 335)
- *initiate** to begin (p. 157)
- *initiative** a method by which citizens propose a constitutional amendment or a law (pp. 73, 639)
- injunction** an order that will stop a particular action or enforce a rule or regulation (pp. 297, 424, 582)
- *innovative** tending to introduce newness (p. 280)
- *inspect** to look at closely (p. 259)
- *instance** example, illustration (p. 733)
- *institution** establishment, practice, or social organization (p. 21)
- *integrate** to open to all races (p. 405)
- *intense** existing in an extreme degree (p. 475)
- *interact** to act upon one another (p. 103)
- *interactive** relating to a two-way electronic communication system (p. 184)
- interest group** a group of people with common goals who organize to influence government (p. 503)
- intergovernmental organization (IGO)** an international organization composed of members of national governments (p. 702)
- intergovernmental revenue** revenue distributed by one level of government to another (p. 657)
- interlocking directorate** the same people serving on the boards of directors of competing companies (p. 578)
- internationalism** involvement in world affairs (p. 608)
- *interpretation** explanation (p. 338)
- interstate commerce** trade among the states (pp. 55, 161)
- interstate compact** a written agreement between two or more states (p. 105)
- *intervene** to come between (p. 611)
- *investigation** a systematic examination of related facts (p. 143)
- *investment** outlay of money for income or profit, capital outlay (p. 731)
- *investor** one who commits money in order to make a financial return (p. 581)
- *invoke** to appeal to or cite as authority (p. 415)
- *involve** to engage as a participant (p. 200)
- iron triangle** a relationship formed among government agencies, congressional committees, and client groups who work together (p. 297)
- isolationism** the avoidance of involvement in world affairs (p. 608)
- *issue** topic for consideration (p. 141)
- *item veto** the power to turn down a particular item in a bill without vetoing the entire bill (p. 645)
- *inicial** primero (pág. 335)
- *iniciar** empezar (pág. 157)
- *iniciativa** método por el cual los ciudadanos proponen una enmienda constitucional o una ley (págs. 73, 639)
- mandato judicial** orden que detendrá una acción en particular o hará cumplir una norma o reglamentación (págs. 297, 424, 582)
- *innovador** con tendencia a introducir la novedad (pág. 280)
- *inspeccionar** mirar de cerca (pág. 259)
- *instancia** ejemplo, ilustración (pág. 733)
- *institución** establecimiento, práctica u organización social (pág. 21)
- *integrar** abrirse a todas las razas (pág. 405)
- *intenso** que existe a un grado extremo (pág. 475)
- *interactuar** actuar uno con otro (pág. 103)
- *interactivo** relacionado a un sistema de comunicación electrónico de dos vías (pág. 184)
- grupo de intereses** grupo de personas con objetivos comunes que se organizan para influenciar al gobierno (pág. 503)
- organización intergubernamental** organización internacional compuesta por miembros de gobiernos nacionales (pág. 702)
- ingresos intergubernamentales** ingresos distribuidos de un nivel de gobierno a otro (pág. 657)
- dirección entrelazada** misma gente sirviendo en juntas directivas de compañías competidoras (pág. 578)
- internacionalismo** involucramiento en asuntos mundiales (pág. 608)
- *interpretación** explicación (pág. 338)
- comercio interestatal** intercambio entre los estados (págs. 55, 161)
- pacto interestatal** acuerdo escrito entre dos o más estados (pág. 105)
- *intervenir** interponerse (pág. 611)
- *investigación** examen sistemático de hechos relacionados (pág. 143)
- *inversión** desembolso de dinero para ingresos o ganancias, gastos de capital (pág. 731)
- *inversionista** alguien que compromete dinero con el propósito de tener un retorno financiero (pág. 581)
- *invocar** apelar o citar como autoridad (pág. 415)
- *involucrar** convertirse en un participante (pág. 200)
- triángulo de hierro** relación formada entre agencias gubernamentales, comités congresistas, y grupos de clientes que trabajan juntos (pág. 297)
- aislacionismo** evasión del involucramiento en asuntos mundiales (pág. 608)
- *asunto** tema para ser considerado (pág. 141)
- veto de artículo** poder de rechazar un artículo particular en un proyecto de ley sin vetar el proyecto entero (pág. 645)

Glossary–Glosario

Jim Crow laws—legislative assistant

J

Jim Crow laws laws requiring racial segregation in such places as schools, buses, and hotels (p. 400)

joint committee a committee of the House and the Senate that usually acts as a study group and reports its findings back to the House and the Senate (p. 143)

***journal** a personal record of experiences, ideas, and reflections (p. 547)

judicial activism the philosophy that the Supreme Court should play an active role in shaping national policies by addressing social and political issues (p. 80)

judicial circuit a region containing a United States appellate court (p. 313)

judicial restraint the philosophy that the Supreme Court should avoid taking the initiative on social and political questions (p. 80)

judicial review the power of the Supreme Court to declare laws and actions of local, state, or national governments unconstitutional (pp. 66, 336)

jurisdiction the authority of a court to rule on certain cases (p. 64)

jury a group of citizens who hear evidence during a trial and give a verdict (p. 433)

jus sanguinis (YOOS SAHN•gwuh•nuhs) Latin phrase meaning “law of blood”; the principle that grants citizenship on the basis of the citizenship of one’s parents (p. 394)

jus soli (YOOS SOH•lee) Latin phrase meaning “law of the soil”; the principle that grants citizenship to nearly all people born in a country (p. 393)

***justify** to show to be right or reasonable (p. 363)

ley Jim Crow ley que requiere la segregación racial en lugares tales como escuelas, autobuses, y hoteles (pág. 400)

comité conjunto comité de la Cámara y el Senado que generalmente actúa como grupo de estudio y reporta sus descubrimientos de regreso a la Cámara y el Senado (pág. 143)

***diario** registro personal de experiencias, ideas y reflexiones (pág. 547)

activismo judicial filosofía que la Suprema Corte debe tomar un papel activo en darle forma a políticas nacionales que traten cuestiones sociales y políticas (pág. 80)

circuito judicial región que contiene una corte de apelación de Estados Unidos (pág. 313)

represión judicial filosofía que la Suprema Corte debe evitar tomar la iniciativa en cuestiones sociales y políticas (pág. 80)

revisión judicial poder de la Suprema Corte de declarar leyes y acciones del gobierno local, estatal y nacional inconstitucionales (págs. 66, 336)

jurisdicción autoridad de una corte para dictaminar en ciertos casos (pág. 64)

jurado grupo de ciudadanos que escuchan evidencias durante un juicio y dan el veredicto (pág. 433)

jus sanguinis frase latina que quiere decir “ley de sangre”; principio que otorga ciudadanía en base de la ciudadanía de los padres (pág. 394)

jus soli frase latina que quiere decir “ley de la tierra”; principio que otorga ciudadanía a casi toda persona nacida en un país (pág. 393)

***justificar** mostrar que está correcto o que es razonable (pág. 363)

L

***labor** an economic group composed of those who do manual labor or who work for wages (p. 181)

laissez-faire the philosophy that government should keep its hands off the economy (pp. 27, 577)

lame duck an outgoing official serving out the remainder of a term, after retiring or being defeated for reelection (p. 90)

law set of rules and standards by which a society governs itself (p. 415)

leak the release of secret information by anonymous government officials to the media (pp. 230, 529)

legislative assistant a member of a lawmaker’s personal staff who makes certain that the lawmaker is well informed about proposed legislation (p. 148)

***mano de obra** grupo económico compuesto por aquellos que llevan acabo labores manuales o que trabajan por un salario (pág. 181)

laissez-faire filosofía que el gobierno debe mantener sus manos fuera de la economía (págs. 27, 577)

lame duck funcionario saliente sirviendo el resto de un período después de su retiro o derrota en elecciones (pág. 90)

ley conjunto de normas y estándares por los cuales una sociedad se gobierna a sí misma (pág. 415)

divulgación anuncio de información secreta por funcionarios gubernamentales anónimos a los medios de comunicación (págs. 230, 529)

asistente legislativo miembro del equipo de trabajo de un legislador que se asegura que el legislador esté bien informado de legislación propuesta (pág. 148)

legislative veto the provisions Congress wrote into some laws that allowed it to review and cancel actions of executive agencies (p. 170)

***legislature** governing body that creates laws (p. 49)

***levy** to impose a tax (p. 49)

liaison officer a cabinet department employee who helps promote good relations with Congress (p. 296)

libel false written or published statements intended to damage a person's reputation (pp. 369, 537)

***license** a permit issued by an official agency (p. 103)

lieutenant governor the presiding officer of the upper house in some state legislatures (p. 642)

limited government a system in which the power of the government is limited, not absolute (p. 36)

***link** a connection (p. 532)

litigant a person engaged in a lawsuit (p. 307)

lobbying direct contact made by lobbyists to persuade government officials to support the policies their interest group favors (pp. 198, 508)

lobbyist interest group representative (pp. 198, 508)

***location** a place (p. 87)

logrolling an agreement by two or more lawmakers to support each other's bills (p. 202)

veto legislativo provisiones que el Congreso escribió dentro de algunas leyes que le permitieron revisar y cancelar acciones de las agencias ejecutivas (pág. 170)

***legislatura organismo** de gobierno que crea las leyes (pág. 49)

***recaudar** coleccionar un impuesto (pág. 49)

oficial de enlace empleado de un departamento de gabinete que ayuda a promover las buenas relaciones con el Congreso (pág. 296)

difamación declaración falsa escrita o publicada con intención de dañar la reputación de una persona (págs. 369, 537)

***licencia** permiso emitido por una agencia (pág. 103)

vicegobernador oficial que preside en la cámara alta en algunas legislaturas estatales (pág. 642)

gobierno limitado sistema de gobierno en el cual el poder del gobierno es limitado, no absoluto (pág. 36)

***enlace** conexión (pág. 532)

litigante persona comprometida en una demanda (pág. 307)

cabildeo contacto directo hecho por un cabildero con el fin de persuadir a los funcionarios gubernamentales para apoyar la política que su grupo de interés favorece (págs. 198, 508)

cabildero representante de un grupo de interés (págs. 198, 508)

***lugar** sitio (pág. 87)

convenio de ayuda mutua un acuerdo entre dos o más legisladores para apoyarse el uno al otro en sus proyectos de ley (pág. 202)



***maintain** to keep the same (p. 608)

***maintenance** the upkeep of property or equipment (p. 671)

***major** prominent or significant in size, amount, or degree (p. 158)

***majority** greater number (p. 221)

majority leader the Speaker's top assistant whose job is to help plan the majority party's legislative program and to steer important bills through the House (p. 134)

majority opinion a Supreme Court decision expressing the views of the majority of justices (p. 335)

mandate a formal order given by a higher authority (p. 248)

mandatory sentencing a system of fixed, required terms of imprisonment for certain types of crimes (p. 651)

***margin** the limit or bare minimum (p. 222)

market economy an economic system that allows buyers and sellers acting in their individual interests to control the factors of production (p. 718)

***mantener** conservar igual (pág. 608)

***mantenimiento** cuidado de propiedad o equipos (pág. 671)

***mayor** prominente o importante en tamaño, cantidad, o grado (pág. 158)

***mayoría** mayor número (pág. 221)

líder mayoritario asistente máximo del presidente de la Cámara, cuyo trabajo es ayudar a planear el programa legislativo del partido mayoritario y dirigir importantes proyectos de ley a través de la Cámara (pág. 134)

opinión mayoritaria decisión de la Corte Suprema expresando la perspectiva de la mayoría de los jueces (pág. 335)

mandato orden formal dada por una autoridad superior (pág. 248)

sentencia mandataria sistema de términos de encarcelamiento fijos y requeridos por ciertos tipos de crímenes (pág. 651)

***margen** límite o lo mínimo (pág. 222)

economía mercadera sistema económico que permite a compradores y vendedores actuar en sus propios intereses para controlar los elementos de producción (pág. 718)

Glossary–Glosario

marketing quota–municipality

marketing quota a limit set among farmers to market only an assigned portion of an overproduced crop (p. 586)

market value the amount of money an owner may expect to receive if property is sold (p. 674)

mass media means of communication, such as television, newspapers, movies, books, and the Internet, that influence large audiences (pp. 515, 527)

mass transit systems such as buses and subways that are used to transport large numbers of people (pp. 602, 670)

***media** source of information including television, print, and the Internet (p. 230)

media event a visually interesting event designed to reinforce a politician's position on some issue (p. 529)

mediation a process in which each side is given the opportunity to explain its side of dispute and must listen to the other side (p. 425)

***medium** system of communication, such as newspaper or radio (p. 249)

***method** a procedure or process for accomplishing something (p. 429)

metropolitan area a large city and its surrounding suburbs (p. 671)

metropolitan government a type of government that serves several different communities in the same region (p. 682)

***military** referring to armed forces (p. 615)

***minimize** to make less important (p. 627)

***ministry** a government department (p. 691)

misdeemeanor a minor crime that is usually punished by a fine or a jail sentence of less than one year (p. 430)

mixed economy a system in which the government regulates private enterprise (pp. 575, 721)

***modification** minor change (p. 54)

monarchy autocracy in which a king, queen, or emperor exercises supreme powers of government (p. 19)

monetary policy a government's control of the supply of money and credit to influence the economy (p. 567)

***monitor** to watch, keep track of, oversee (p. 709)

monopoly a business that controls so much of an industry that little or no competition exists (pp. 578, 720)

mortgage a loan taken out to pay for a house (p. 423)

***motivate** provide a reason for (p. 399)

mullah a specially trained Islamic religious leader (p. 700)

multilateral treaty international agreement signed by several nations (p. 629)

municipality an urban unit of government chartered by a state (p. 665)

cupo mercader límite establecido entre agricultores para vender sólo una porción asignada de una cosecha sobreproducida (pág. 586)

valor de mercado cantidad de dinero que un propietario espera recibir si su propiedad es vendida (pág. 674)

medios informativos medios de comunicación, tales como televisión, periódicos, películas, libros, e Internet, que influyen a grandes audiencias (págs. 515, 527)

tránsito público sistemas tales como el metro, que son usados para transportar a grandes números de personas (págs. 602, 670)

***medios de comunicación** fuente de información que incluye la televisión, impresos e Internet (pág. 230)

evento para los medios informativos evento de interés visual diseñado para reforzar la posición de un político en algún tema (pág. 529)

mediación proceso en el cual cada partido tiene la oportunidad de explicar su lado de la disputa y debe escuchar al otro lado (pág. 425)

***medio** sistema de comunicación, tales como los periódicos o emisoras de radio (pág. 249)

***método** procedimiento o proceso para lograr algo (pág. 429)

área metropolitana ciudad grande y sus suburbios alrededores (pág. 671)

gobierno metropolitano tipo de gobierno que sirve a varias comunidades en la misma región (pág. 682)

***militar** que se refiere a las fuerzas armadas (pág. 615)

***minimizar** hacer menos importante (pág. 627)

***ministerio** departamento del gobierno (pág. 691)

delito menor crimen menor que normalmente es castigado con una multa o sentencia de cárcel por menos de un año (pág. 430)

economía mixta sistema en el cual el gobierno regula empresas privadas (págs. 575, 721)

***modificación** cambio menor (pág. 54)

monarquía autocracia en la cual un rey, reina, o emperador, ejerce los poderes supremos del gobierno (pág. 19)

política monetaria control del gobierno del abastecimiento de dinero y crédito para influenciar la economía (pág. 567)

***observar** mirar, hacer un seguimiento, supervisar (pág. 709)

monopolio negocio que controla tanto una industria que existe poco o nada de competencia (págs. 578, 720)

hipoteca préstamo solicitado para pagar una casa (pág. 423)

***motivar** proveer una razón para algo (pág. 399)

mullah líder religioso islámico con entrenamiento especializado (pág. 700)

tratado multilateral acuerdo internacional firmado por varias naciones (pág. 629)

municipalidad unidad urbana de gobierno establecida por un estado (pág. 665)

Muslim–nongovernmental organization (NGO)

Muslim a follower of the religion of Islam (p. 699)

mutual defense alliance an agreement between nations to support each other in case of an attack (p. 627)

musulmán adepto a la religión islámica (pág. 699)

alianza de defensa mutua acuerdo entre naciones para apoyarse la una a la otra en caso de ataque (pág. 627)



nation group of people united by bonds of race, language, custom, tradition, and, sometimes, religion (p. 6)

national budget the yearly financial plan for the federal government (p. 175)

national committee representatives from the 50 state party organizations who run a political party (p. 460)

national convention a gathering of local and state party members chosen to nominate presidential and vice-presidential candidates (p. 460)

national debt the total amount of money the government owes at any given time (p. 559)

nationalist position a position that favors national action in dealing with problems (p. 107)

nationalization the process by which a government takes control of industry (p. 724)

national security protection of a nation's borders and territories against invasion or control by foreign powers (p. 607)

National Security Advisor director of the National Security Council staff (p. 236)

nation-state a country in which the territory of both the nation and the state coincide (p. 6)

naturalization the legal process by which a person is granted citizenship (p. 392)

necessary and proper clause Article I, Section 8, of the Constitution, which gives Congress the power to make all laws that are necessary and proper for carrying out its duties (p. 157)

***network** an interconnected or interrelated chain, group, or system (p. 312)

***neutral** not favoring either side in a quarrel, contest, or war (p. 287)

newly developed nation a nation that has had significant or rapid industrial growth in recent years (p. 722)

news briefing a meeting during which a government official makes an announcement or explains a policy, decision, or action (p. 528)

news release a ready-made story that government officials prepare for members of the press (p. 528)

nominating convention an official public meeting of a party to choose candidates for office (p. 464)

nongovernmental organization (NGO) an international organization composed of individuals and groups outside the scope of government (p. 702)

nación grupo de personas unidas por lazos de raza, lenguaje, costumbre, tradición y a veces religión (pág. 6)

presupuesto nacional plan financiero anual para el gobierno federal (pág. 175)

comité nacional representantes de las 50 organizaciones estatales dirigen un partido político (pág. 460)

convención nacional reunión de miembros locales y estatales de un partido escogidos para nominar a los candidatos para presidente y vicepresidente (pág. 460)

deuda nacional total de dinero que el gobierno debe en cualquier momento (pág. 559)

posición nacionalista posición que favorece la acción nacional en tratar problemas (pág. 107)

nacionalización proceso por el cual el gobierno toma control de la industria (pág. 724)

seguridad nacional protección de las fronteras y territorios de una nación en contra del control o invasión de poderes extranjeros (pág. 607)

consejero de seguridad nacional director del personal del Consejo de Seguridad Nacional (pág. 236)

estado nación país en el cual el territorio de ambos la nación y el estado coinciden (pág. 6)

naturalización proceso legal por el cual se le otorga a una persona la ciudadanía (pág. 392)

cláusula de necesario y propio Artículo I, Sección 8 de la Constitución, la cual le da al Congreso el poder de aprobar todas las leyes que sean necesarias y propias para hacer cumplir sus deberes (pág. 157)

***red** cadena, grupo o sistema interconectado o interrelacionado (pág. 312)

***neutral** que no favorece ningún lado en una discusión, contienda o guerra (pág. 287)

nación nuevamente desarrollada nación que ha tenido rápido crecimiento industrial en años recientes (pág. 722)

sesión noticiera junta durante la cual un funcionario gubernamental anuncia o explica una política, decisión o acción (pág. 528)

comunicado de prensa historia preparada que los funcionarios gubernamentales escriben para los miembros de la prensa (pág. 528)

convención de nominación junta oficial pública de un partido para escoger candidatos para un cargo (pág. 464)

organización no gubernamental organización internacional compuesta por individuos y grupos fuera del ámbito del gobierno (pág. 702)

Glossary-Glosario

nonresident alien-pardon

nonresident alien a person from a foreign country who expects to stay in the United States for a short, specified period of time (p. 391)

***nuclear** atomic (p. 629)

nuclear proliferation the spread of nuclear weapons (p. 709)

extranjero no residente persona de un país extranjero que espera quedarse en Estados Unidos por un período corto y específico (pág. 391)

***nuclear** atómico (pág. 629)

proliferación nuclear expansión de armas nucleares (pág. 709)



***objective** something toward which effort is directed; end, goal (p. 567)

***objectivity** ability to deal with facts or situations as they exist without distortion of personal feelings or prejudices (p. 322)

***obtain** to get (p. 643)

***obvious** easily discovered, seen, or understood (p. 433)

***occupation** having control or possession of a location (p. 492)

***occur** to happen (p. 124)

office-group ballot one that lists the candidates together by the office for which they are running (p. 488)

oligarchy a system of government in which a small group holds power (p. 20)

oligopoly situation in which only a few firms dominate a particular industry (p. 579)

open-market operations the means the Federal Reserve System uses to affect the economy by buying or selling government securities on the open market (p. 570)

open primary an election in which all voters may participate (p. 465)

opinion a written explanation of a Supreme Court decision; also, in some states, a written interpretation of a state constitution or state laws by the state's attorney general (p. 322)

ordinance a law (pp. 50, 417)

original jurisdiction the authority of a trial court to be first to hear a case (p. 307)

***outcome** result, consequence (p. 372)

***output** amount produced (p. 584)

***overlap** to extend over or past; to have something in common (p. 306)

***objetivo** algo a lo que se dirigen los esfuerzos; fin, meta (pág. 567)

***objetividad** capacidad para lidiar con los hechos o situaciones tal y como existen, sin ser distorsionados por las emociones personales o prejuicios (pág. 322)

***obtener** adquirir (pág. 643)

***obvio** que se descubre con facilidad, visto o entendido (pág. 433)

***ocupación** profesión o carrera (pág. 492)

***ocurrir** acontecer (pág. 124)

papeleta de grupo por cargo aquella que enumera los candidatos juntos por el cargo al cual se están postulando (pág. 488)

oligarquía sistema de gobierno en el cual un pequeño grupo mantiene el poder (pág. 20)

oligopolio situación en la cual sólo unas cuantas empresas dominan una industria particular (pág. 579)

operaciones de mercado abierto lo medios que el Sistema de Reserva Federal usa para afectar la economía comprando o vendiendo bonos del gobierno u otras seguridades en el mercado abierto (pág. 570)

elección primaria abierta elección en la cual todos los votantes pueden participar (pág. 465)

opinión explicación escrita de una decisión de la Suprema Corte; también, en algunos estados, una interpretación escrita de la constitución estatal o leyes estatales por el fiscal del estado (pág. 322)

ordenanza ley (págs. 50, 417)

jurisdicción original autoridad de un tribunal para ser el primero en escuchar un caso (pág. 307)

***resultado** efecto, consecuencia (pág. 372)

***rendimiento** cantidad producida (pág. 584)

***traslapar** extenderse más allá o pasarse, tener algo en común (pág. 306)



***panel** group of persons selected for some service (p. 313)

***parallel** similar, analogous, having corresponding positions (p. 135)

pardon a release from legal punishment (p. 254)

***panel** grupo de personas seleccionadas para un servicio (pág. 313)

***paralelo** similar, análogo, que tiene posiciones que corresponden (pág. 135)

indulto liberación de castigo legal (pág. 254)

parliamentary government–platform

parliamentary government form of government in which executive and legislative functions both reside in an elected assembly, or parliament (p. 689)

parochial school a school operated by a church or religious group (p. 359)

parole means by which a prisoner is allowed to serve the rest of a sentence in the community under the supervision of a parole officer (p. 652)

partisan adhering to or supporting a particular party, faction, cause, or person (p. 544)

party-column ballot one that lists each party's candidates in a column under the party's name (p. 489)

passport a document that shows citizenship and entitles a traveler to certain protections established by international treaty (p. 623)

patronage the practice of granting favors to reward party loyalty (pp. 256, 462)

peer group an individual's close friends, religious group, clubs, or work groups (p. 515)

***perceive** the capacity, degree, and accuracy of one's consciousness, awareness, or comprehension (p. 495)

***percent** one unit of 100 (p. 284)

per curiam opinion (puhr KYUR•ee•ahm) a brief, unsigned statement of a Supreme Court decision (p. 333)

***period** a portion of time (p. 174)

***periodic** occurring at intervals (p. 331)

perjury lying under oath (p. 168)

personal property movable belongings such as clothes and jewelry, as well as intangible items such as stocks, bonds, copyrights, and patents (pp. 423, 674)

personal staff the people who work directly for individual senators and representatives (p. 147)

petition an appeal (p. 77)

petit jury a trial jury, usually consisting of 6 or 12 people, that weighs the evidence presented at a trial and renders a verdict (p. 313)

petty offense a minor crime, usually punished by a ticket rather than being arrested (p. 430)

***phase** a distinguishable part in a cycle; an aspect or part (p. 422)

***philosopher** one who engages in the pursuit of wisdom (p. 5)

picket to patrol an establishment to convince workers and the public not to enter it (p. 378)

plaintiff person who brings charges in court (p. 424)

plank a section of a political party platform (p. 469)

platform a statement of a political party's principles, beliefs, and positions on vital issues (p. 469)

gobierno parlamentario tipo de gobierno en el cual las funciones ejecutiva y legislativa residen en la asamblea electa, o parlamento (pág. 689)

escuela parroquiana escuela operada por una iglesia o grupo religioso (pág. 359)

libertad condicional forma por la cual se le permite a un prisionero servir el resto de una sentencia en la comunidad bajo la supervisión de un oficial (pág. 652)

prosélito que se adhiere o apoya un partido, facción, causa o persona en particular (pág. 544)

balota de la columna del partido aquella que enumera a cada candidato de partido en una columna bajo el nombre del partido (pág. 489)

pasaporte documento que muestra la ciudadanía y el derecho de un viajero a cierta protección establecida por tratado internacional (pág. 623)

patrocinio práctica de otorgar favores para recompensar la lealtad al partido (págs. 256, 462)

grupo paritario amigos cercanos, grupo religioso, clubes, o grupos de trabajo de un individuo (pág. 515)

***percepción** capacidad, grado y precisión del conocimiento, conciencia o comprensión de una (pág. 495)

***porcentaje** unidad de 100 (pág. 284)

opinión per curiam breve declaración no firmada de una decisión de la Suprema Corte (pág. 333)

***período** porción del tiempo (pág. 174)

***periódico** que ocurre en intervalos (pág. 331)

perjurio mentir bajo juramento (pág. 168)

propiedad personal pertenencias movibles tales como ropa y joyas, así como artículos intangibles tales como acciones, bonos, derechos de autor, y patentes (págs. 423, 674)

personal propio personas que trabajan directamente para senadores y representantes individuales (pág. 147)

petición solicitud (pág. 77)

jurado pequeño jurado generalmente de 6 o 12 personas, que considera la evidencia presentada en un juicio y rinde un veredicto (pág. 313)

ofensa menor crimen menor, generalmente castigado con una multa en vez de arresto (pág. 430)

***fase** parte que se distingue en un ciclo; aspecto o parte (pág. 422)

***filósofo** alguien que se dedica a la búsqueda de la sabiduría (pág. 5)

hacer piquete patrullar un establecimiento para convencer a trabajadores y al público de no entrar (pág. 378)

demandante persona que presenta cargos en una corte (pág. 424)

puntal un sección individual de la plataforma partidaria de un partido político (pág. 469)

plataforma declaración de los principios, creencias, y posiciones en asuntos vitales de un partido político (pág. 469)

Glossary–Glosario

plea bargaining–president pro tempore

plea bargaining the process in which a defendant pleads guilty to a lesser crime than the one with which the defendant was originally charged (p. 432)

plurality the largest number of votes in an election (pp. 465, 643)

pocket veto when a president kills a bill passed during the last 10 days Congress is in session by simply refusing to act on it (p. 187)

***policy** a plan that includes general goals and procedures (p. 336)

political action committee (PAC) an organization formed to collect money and provide financial support for political candidates (p. 478)

political culture a set of shared values and beliefs about a nation and its government (p. 516)

political party a group of individuals with broad common interests who organize to nominate candidates for office, win elections, conduct government, and determine public policy (pp. 23, 453)

politics the effort to control or influence the conduct and policies of government (p. 14)

polling place the location in a precinct where people vote (p. 488)

poll tax money paid in order to vote (pp. 90, 483)

popular sovereignty rule by the people (p. 65)

pork-barrel legislation laws passed by Congress that appropriate money for local federal projects (p. 202)

***portion** an often limited part of a whole (p. 566)

***potential** possible (p. 377)

preamble a statement in a constitution that sets forth the goals and purposes of government (p. 14)

***precedent** a model on which to base later decisions or actions (pp. 50, 338, 364, 426)

precinct a voting district (pp. 459, 488)

precinct captain a volunteer who organizes party workers to distribute information about the party and its candidates and to get the voters to the polls (p. 459)

***precise** exact (p. 436)

***predict** to tell in advance of an event (p. 493)

***preemption** the federal government's ability to take over a state government function (p. 109)

***preliminary** coming before something else (p. 561)

presidential government a form of democratic government in which a president heads the executive branch (p. 691)

presidential succession the order in which officials fill the office of president in case of a vacancy (p. 217)

president pro tempore the Senate member, elected by the Senate, who stands in as president of the Senate in the absence of the vice president (p. 139)

negociación de alegato proceso en el cual el acusado se declara culpable a un crimen menor a la acusación original (pág. 432)

pluralidad mayor cantidad de votos en una elección (págs. 465, 643)

veto indirecto cuando un presidente se deshace de un proyecto de ley aprobado durante los últimos 10 días que el Congreso está en session, simplemente negándose a cumplirlo (pág. 187)

***política** plan que incluye objetivos generales y procedimientos (pág. 336)

comité de acción política organización formada para recolectar dinero y proporcionar ayuda financiera a candidatos políticos (pág. 478)

cultura política conjunto de valores y creencias compartidos sobre una nación y su gobierno (pág. 516)

partido político grupo de individuos con intereses comunes que se organizan para nominar candidatos para un cargo, ganar elecciones, conducir el gobierno, y determinar la política pública (págs. 23, 453)

política esfuerzo para controlar o influenciar la conducta y política del gobierno (pág. 14)

lugar de votación área en un recinto donde la gente vota (pág. 488)

impuesto al voto dinero pagado para votar (págs. 90, 483)

soberanía popular gobernado por la gente (pág. 65)

legislación de favoritismo político leyes aprobadas por el Congreso que asignan dinero para proyectos federales locales (pág. 202)

***porción** parte limitada de un todo (pág. 566)

***potencial** posible (pág. 377)

preámbulo declaración en una constitución que estipula los objetivos y propósitos del gobierno (pág. 14)

precedente modelo en el cual basar decisiones o acciones posteriores (págs. 50, 338, 364, 426)

recinto distrito electoral (págs. 459, 488)

capitán de recinto voluntario que organiza los trabajadores del partido para distribuir información acerca del partido y sus candidatos y para urgir a los votantes a las urnas (pág. 459)

***preciso** exacto (pág. 436)

***predecir** decir antes de un evento o adivinar (pág. 493)

***derecho de prioridad** capacidad del gobierno federal de asumir una función del gobierno estatal (pág. 109)

***preliminar** que viene antes de algo más (pág. 561)

gobierno presidencial forma de gobierno democrático en la cual el presidente encabeza la rama ejecutiva (pág. 691)

sucesión presidencial orden en el cual funcionarios ocupan el cargo del presidente en caso de vacante (pág. 217)

presidente pro tempore miembro del Senado, electo por el Senado, que actúa como presidente del Senado en la ausencia del vicepresidente (pág. 139)

press secretary one of the president's top assistants who is in charge of media relations (p. 239)

***presume** to expect or assume (p. 369)

presumed innocence the presumption that a person is innocent until proven guilty (p. 420)

price supports the program under which Congress buys farmers' crops if the market price falls below the support price (p. 586)

***prime** foremost, significant (p. 707)

***principle** an underlying doctrine or assumption (p. 63)

prior restraint government censorship of information before it is published or broadcast (pp. 85, 371, 537)

private bill a bill dealing with individual people or places (p. 181)

probable cause a reasonable basis to believe a person or premises is linked to a crime (p. 86)

procedural due process principle that prohibits arbitrary enforcement of the law, and also provides safeguards to ensure that constitutional and statutory rights are protected by law enforcement (p. 419)

***procedure** a way of doing (p. 64)

***process** a continuing action or series of actions; a way of doing (p. 392)

***professional** an individual with intense preparation and knowledge in a specific field of work (p. 235)

profit the difference between the amount of money used to operate a business and the amount of money the business takes in (p. 720)

progressive tax tax based on a taxpayer's ability to pay (p. 657)

***prohibit** to forbid (p. 649)

proletariat workers who produce the goods (p. 29)

propaganda the use of ideas, information, or rumors to influence opinion (p. 495)

proportional representation a system in which several officials are elected to represent the same area in proportion to the votes each party's candidate receives (p. 457)

proportional tax tax that is assessed at the same rate for everyone (p. 657)

public assistance government programs that distribute money to poor people (p. 590)

public bill a bill dealing with general matters and applying to the entire nation (p. 182)

public housing government-subsidized housing for low-income families (p. 600)

public-interest group a group that seeks policy goals that it believes will benefit the nation (p. 506)

public opinion the ideas and attitudes a significant number of Americans hold about issues (p. 514)

secretario de prensa uno de los asistentes máximos del presidente que se encarga de las relaciones con los medios de comunicación (pág. 239)

***presumir** esperar o asumir (pág. 369)

inocencia presunta presunción de la inocencia de una persona hasta que se compruebe lo contrario (pág. 420)

apoyo de precios programa bajo el cual el Congreso compra la cosecha a los agricultores si el precio del mercado cae por debajo del precio de apoyo (pág. 586)

***principal** más importante, significativo (pág. 707)

***principio** doctrina o presunción subyacente (pág. 63)

restricción anterior censura de información por el gobierno antes de ser publicada o emitida (págs. 85, 371, 537)

proyecto de ley privado proyecto de ley que trata de personas o lugares individuales (pág. 181)

causa probable base razonable para creer que una persona o un lugar está ligado a un crimen (pág. 86)

proceso de procedimiento correspondiente principio que prohíbe la aplicación arbitraria de la ley, y también provee resguardos para asegurar que los derechos constitucionales y legales estén protegidos por la policía (pág. 419)

***procedimiento** forma de hacer algo (pág. 64)

***proceso** acción o serie de acciones continuas; forma de hacer algo (pág. 392)

***profesional** individuo con preparación y conocimiento intensos en un área de trabajo específico (pág. 235)

ganancia diferencia entre la cantidad de dinero usado para operar un negocio y la cantidad de dinero que el negocio recibe (pág. 720)

impuesto progresivo impuesto basado en la habilidad del contribuyente para pagar (pág. 657)

***prohibir** vedar (pág. 649)

proletariado trabajadores que producen los bienes (pág. 29)

propaganda uso de ideas, información o rumores para influenciar la opinión (pág. 495)

representación proporcional sistema en el cual varios oficiales son electos para representar la misma área en proporción a los votos que cada candidato de partido recibe (pág. 457)

impuesto proporcional impuesto fijado a la misma tasa para todos (pág. 657)

asistencia pública programas gubernamentales que distribuyen dinero a los pobres (pág. 590)

proyecto de ley público proyecto de ley relacionado con asuntos generales y que aplican a toda la nación (pág. 182)

vivienda pública alojamiento subsidiado por el gobierno para familias de bajos ingresos (pág. 600)

grupo de interés público grupo que busca realizar metas políticas que cree que beneficiarán a la nación (pág. 506)

opinión pública ideas y actitudes que un número significativo de americanos tiene a cerca de temas (pág. 514)

Glossary–Glosario

public unity–regulation

public utility an organization that supplies such necessities as electricity, gas, or telephone service (p. 649)

***publish** to print (p. 58)

pure speech the verbal expression of thought and opinion before an audience that has chosen to listen (p. 366)

***pursue** to employ measures to obtain or accomplish (p. 357)

empresa de servicio público organización que administra necesidades tales como electricidad, gas, o servicio telefónico (pág. 649)

***publicar** imprimir (pág. 58)

expresión pura expresión verbal de pensamiento y opinión ante una audiencia que ha escogido escuchar (pág. 366)

***perseguir** emplear medidas para obtener o lograr algo (pág. 357)



quorum the minimum number of members who must be present to permit a legislative body to take official action (p. 137)

quota a limit on the quantity of a product that may be imported (p. 733)

quórum número mínimo de miembros que deben estar presente para permitir a un grupo legislativo tomar acción oficial (pág. 137)

cuota limitación de la cantidad de un producto que puede ser importado (pág. 733)



random sampling a polling technique in which everyone in the “universe” has an equal chance of being selected (p. 521)

***range** the extent of options (p. 454)

ratify to approve (pp. 48, 76)

real property land and whatever is attached to or growing on it (pp. 423, 674)

reapportionment the process of reassigning representation based on population, after every census (p. 124)

***recover** to bring back to normal (p. 218)

***redistribution** spreading to other areas; reallocation (p. 724)

redistrict to set up new district lines after reapportionment is complete (p. 125)

referendum a special election (p. 666)

refugee a person fleeing a country to escape persecution or danger (p. 391)

***regime** system of rule (p. 615)

***regional** having to do with a geographic area (p. 734)

regional security pact a mutual defense treaty among nations of a region (p. 627)

***register** make a record of (p. 277); to enroll one’s name with the appropriate local government in order to participate in elections (p. 487)

***registration** signing up (p. 657)

regressive tax tax whereby people with lower incomes pay a larger portion of their income (p. 657)

***regulation** rule or procedure that has the force of law (p. 28)

muestreo al azar técnica de votación en la cual cada uno en el universo tiene una oportunidad equitativa de ser escogido (pág. 521)

***alcance** magnitud de las opciones (pág. 454)

ratificar aprobar (págs. 48, 76)

propiedad real tierra y lo que esté unido o creciendo en ella (págs. 423, 674)

nueva distribución proceso de reasignar representación basada en la población, después de cada censo (pág. 124)

***recuperar** traer de vuelta a la normalidad (pág. 218)

***redistribución** que se propaga a otras zonas; reasignación (pág. 724)

delimitar nuevos distritos establecer nuevas líneas de distrito después de concluida la reasignación (pág. 125)

referéndum elección especial (pág. 666)

refugiado persona huyendo de un país para escapar del peligro y la persecución (pág. 391)

***régimen** sistema de gobierno (pág. 615)

***regional** relacionado a una zona geográfica (pág. 734)

pacto de seguridad regional tratado de defensa mutua entre las naciones de una región (pág. 627)

***registrar** hacer un registro de algo (pág. 277);
inscribirse enlistar su nombre con el gobierno local apropiado con el fin de participar en las elecciones (pág. 487)

***inscripción** registrarse (pág. 657)

impuesto regresivo impuesto por el cual personas de bajos recursos pagan una mayor porción de sus ingresos (pág. 657)

***regulación** norma o procedimiento que tiene fuerza de ley (pág. 28)

***relevant** significant (p. 230)

***reliance** dependence (p. 725)

***reluctant** hesitant, unwilling, disinclined (p. 439)

representative government a system of government in which people elect delegates to make laws and conduct government (p. 37)

representative sample a small group of people, typical of the universe, that a pollster questions (p. 520)

reprieve the postponement of legal punishment (p. 254)

republic a government in which voters hold sovereign power; elected representatives, responsible to the people, exercise that power (p. 20)

***require** to call for, need (p. 367)

***requirement** something that is necessary (p. 642)

reserved powers powers that belong strictly to the states (p. 96)

reserve requirement the percentage of money member banks must keep in Federal Reserve Banks as a reserve against their deposits (p. 569)

***residency** determined as where one lives and is legally eligible to vote (p. 104)

resident alien a person from a foreign nation who has established permanent residence in the United States (p. 391)

***resolve** to deal with, clear up, settle (p. 623)

***resource** a source of supply or support, available means (p. 717)

***restore** to return to original condition, rebuild (p. 586)

***restrict** to limit (p. 648)

***retain** to keep in one's pay or service (p. 508)

revenue the money a government collects from taxes or other sources (pp. 43, 189)

revenue bill a law proposed to raise money (p. 158)

***reverse** to overturn, as an earlier decision (p. 89)

***revise** to correct or improve (p. 173)

***revision** change, especially to a document (p. 640)

revitalization investments in new facilities in an effort to promote economic growth (p. 681)

***revolution** a fundamental change in political organization, esp. by overthrow of a government (p. 453)

***revolutionary** causing sudden and dramatic change (p. 38)

rider a provision included in a bill on a subject other than the one covered in the bill (p. 183)

riding the circuit traveling to hold court in a justice's assigned region of the country (p. 320)

***role** the part played by someone or something (p. 112)

***relevante** significativo (pág. 230)

***dependencia** necesidad (pág. 725)

***reacio** que vacila, poco dispuesto, renuente (pág. 439)

gobierno representativo sistema de gobierno en el cual la gente elige delegados para hacer leyes y dirigir el gobierno (pág. 37)

muestra representativa pequeño grupo de gente, típica del universo, al que un encuestador cuestiona (pág. 520)

indulto postergación de un castigo legal (pág. 254)

república gobierno en el cual los votantes mantienen el poder soberano; los representantes electos, responsables a la gente, ejercitan ese poder (pág. 20)

***requerir** avisar, necesitar (pág. 367)

***requisito** algo que es necesario (pág. 642)

poderes reservados poderes que pertenecen estrictamente a los estados (pág. 96)

requerimiento de reserva porcentaje de dinero que los bancos miembros deben guardar en Bancos de Reserva Federal como una reserva contra sus depósitos (pág. 569)

***residencia** determinada en relación a donde vive alguien y donde es legalmente apto para votar (pág. 104)

extranjero residente persona de una nación extranjera que ha establecido residencia permanente en Estados Unidos (pág. 391)

***resolver** lidiar con algo, aclarar, solucionar (pág. 623)

***recurso** fuente de suministros o apoyo, medios disponibles (pág. 717)

***restablecer** regresar a la condición original, reconstruir (pág. 586)

***restringir** limitar (pág. 648)

***retener** quedarse con algo como forma de pago o servicio (pág. 508)

ingresos dinero que un gobierno cobra de impuestos u otras fuentes (págs. 43, 189)

proyecto de ley de ingresos ley propuesta para juntar dinero (pág. 158)

***invalidar** anular una decisión previa (pág. 89)

***revisar** corregir o mejorar (pág. 173)

***revisión** cambio, especialmente en un documento (pág. 640)

revitalización inversiones en nuevas instalaciones en el esfuerzo de promover el crecimiento económico (pág. 681)

***revolución** cambio fundamental en una organización política, especialmente al derrocar un gobierno (pág. 453)

***revolucionario** que causa un cambio repentino y dramático (pág. 38)

cláusula añadida provisión incluida en un proyecto de ley sobre un tema diferente al abarcado en el proyecto (pág. 183)

recorriendo el circuito viajes para presidir un tribunal en la región del país asignada a un juez (pág. 320)

***rol** papel desempeñado por algo o alguien (pág. 112)

Glossary–Glosario

runoff primary–separate but equal doctrine

runoff primary a second primary election between the two candidates who received the most votes in the first primary (p. 465)

elección de desempate segunda elección entre los dos candidatos que recibieron la mayor cantidad de votos en la primera elección (pág. 465)



sampling error a measurement of how much the sample results may differ from the sample universe (p. 521)

error de muestreo medida de cuánto los resultados de la muestra pueden diferenciarse del universo de la muestra (pág. 521)

sanction a measure, such as withholding economic aid, intended to influence a foreign government's activities (pp. 630, 693)

sanción medida tal como embargar la asistencia económica para influenciar las actividades de un gobierno extranjero (págs. 630, 693)

scarcity a condition that exists because society does not have all the resources to produce all the goods and services that everyone wants (p. 717)

escasez condición que existe porque la sociedad no tiene todos los recursos para producir todos los bienes y servicios que todos quieren (pág. 717)

***schedule** to appoint or designate for a specific time (p. 167)

***programar** fijar o asignar para un momento específico (pág. 167)

***scheme** a plan of action, esp. a crafty or secret one (p. 168)

***esquema** plan de acción, especialmente si es uno elaborado o secreto (pág. 168)

***scope** range or extent (p. 702)

***alcance** rango o grado (pág. 702)

search warrant an order signed by a judge describing a specific place to be searched for specific items (p. 86)

orden de cateo orden firmada por un juez describiendo un lugar específico para buscar artículos específicos (pág. 86)

secular nonreligious (p. 360)

profano no religioso (pág. 360)

securities financial instruments, including bonds, notes, and certificates, that are sold as a means of borrowing money with a promise to repay the buyer with interest after a specific time period (pp. 559, 581)

seguridades instrumentos financieros, incluyendo bonos, notas, y certificados, que son vendidos como medios de pedir dinero prestado con la promesa de volver a pagarlo al comprador con intereses después de un período específico (págs. 559, 581)

***security** safety (p. 621)

***seguridad** seguro (pág. 621)

security classification system the provision that information on government activities related to national security and foreign policy may be kept secret (p. 408)

sistema de clasificación de seguridad provisión que establece que la información sobre las actividades gubernamentales relacionadas a la seguridad nacional y la política exterior pueden mantenerse en secreto (pág. 408)

sedition speech speech urging resistance to lawful authority or advocating the overthrow of the government (p. 368)

expresión sediciosa discurso urgiendo resistencia a las autoridades legales o el derrocamiento del gobierno (pág. 368)

select committee a temporary committee formed to study one specific issue and report its findings to the Senate or the House (p. 143)

comité selecto comité temporal formado para estudiar un tema específico y reportar sus descubrimientos al Senado o a la Cámara (pág. 143)

self-incrimination testifying against oneself (p. 440)

autoincriminación atestiguar en contra de sí mismo (pág. 440)

senatorial courtesy a system in which the president submits the name of a candidate for judicial appointment to the senators from the candidate's home state before formally submitting it for full Senate approval (p. 317)

cortesía senatorial sistema en el cual el presidente somete el nombre de un candidato para una asignación judicial a los senadores del estado del candidato antes de someterlo formalmente para la aprobación de todo el Senado (pág. 317)

seniority system a system that gives the member of the majority party with the longest uninterrupted service on a particular committee the leadership of that committee (p. 145)

sistema de antigüedad sistema que da el liderazgo de un comité al miembro del partido mayoritario con el servicio ininterrumpido más largo en ese comité (pág. 145)

sentence the punishment to be imposed on an offender after a guilty verdict (p. 434)

sentencia castigo a ser impuesto a un acusado después de un veredicto de culpable (pág. 434)

separate but equal doctrine a policy that held that if facilities for different races were equal, they could be separate (p. 400)

doctrina de separación pero equitativa política que mantuvo que si las instalaciones para las diferentes razas fueran iguales podrían ser separadas (pág. 400)

separation of powers–spoils system

separation of powers the division of power among the legislative, executive, and judicial branches of government (pp. 40, 66)

sequester to keep isolated (p. 373)

session a period of time during which a legislature meets to conduct business (p. 123)

shah a king (p. 701)

shield law a law that gives reporters some means of protection against being forced to disclose confidential information or sources in state courts (pp. 374, 537)

***shift** a change of position (p. 389)

shock incarceration a prison program involving shorter sentences in a highly structured environment where offenders participate in work, community service, education, and counseling (p. 652)

shock probation program designed to show young offenders how terrible prison life is, by means of brief incarceration followed by supervised release (p. 652)

***significant** important, meaningful (p. 358)

simple resolution a statement adopted to cover matters affecting only one house of Congress (p. 182)

single-member district electoral district in which only one candidate is elected to each office (p. 457)

***site** location (p. 544)

slander false speech intended to damage a person's reputation (p. 369)

social contract theory that by contract, people surrender to the state the power needed to maintain order and the state, in turn, agrees to protect its citizens (p. 8)

social insurance government programs designed to help elderly, ill, and unemployed citizens (p. 590)

socialism an economic system in which the government owns the basic means of production, distributes the products and wages, and provides social services such as health care and welfare (p. 28)

soft money money raised by a political party for general purposes, not designated for a candidate (p. 479)

***source** origin, point of procurement; one who supplies information (pp. 203, 537)

sovereignty the supreme and absolute authority within territorial boundaries (p. 6)

special district a unit of local government that deals with a specific function, such as education, water supply, or transportation (p. 665)

***specific** distinct or particular characteristics (p. 138)

splinter party a political party that splits away from a major party because of some disagreement (p. 455)

spoils system the practice of victorious politicians rewarding their followers with government jobs (p. 285)

separación de poderes división de poder entre las ramas del gobierno legislativo, ejecutivo, y judicial (págs. 40, 66)

secuestrar mantener aislado (pág. 373)

sesión período durante el cual una legislatura se reúne para hacer negocios (pág. 123)

shah rey (pág. 701)

ley protectora ley que da a los reporteros alguna forma de protección en contra de ser forzados a revelar información o fuentes de información confidenciales en cortes estatales (págs. 374, 537)

***cambiar** dejar una posición por otra (pág. 389)

encarcelamiento a choque programa de encarcelamiento que involucra sentencias más cortas en un ambiente altamente estructurado donde los acusados participan en trabajos, servicio a la comunidad, educación, y asesoramiento (pág. 652)

libertad condicional a choque programa diseñado para mostrar a los delincuentes juveniles lo terrible de la vida en la prisión por medio de un breve encarcelamiento seguido de libertad supervisada (pág. 652)

***significativo** importante, valioso (pág. 358)

resolución simple informe adoptado para cubrir asuntos que afectan solamente una cámara del Congreso (pág. 182)

distrito de un solo miembro distrito electoral en el cual sólo un candidato es electo para cada cargo (pág. 457)

***sitio** lugar (pág. 544)

calumnia expresión falsa con la intención de dañar la reputación de una persona (pág. 369)

contrato social teoría que, por contrato, la gente entrega al estado el poder necesario para mantener el orden y el estado, a cambio, acuerda proteger a sus ciudadanos (pág. 8)

seguro social programas gubernamentales diseñados para ayudar a los ciudadanos ancianos, enfermos, y desempleados (pág. 590)

socialismo sistema económico en el cual el gobierno es dueño de los elementos básicos de producción, distribuye los productos y salarios, y proporciona servicios sociales tales como cuidado de salud y asistencia social (pág. 28)

dinero no asignado dinero recaudado por un partido político para propósitos generales que no es asignado a un candidato (pág. 479)

***fuente** origen, punto de obtención; alguien que provee información (págs. 203, 537)

soberanía autoridad absoluta y suprema dentro de los límites territoriales (pág. 6)

distrito especial unidad de gobierno local que realiza una función específica tal como educación, abastecimiento de agua, o transportación (pág. 665)

***específico** características distintivas o particulares (pág. 138)

partido disidente partido político que se separa de uno de los grandes partidos a causa de algún desacuerdo (pág. 455)

sistema del botín práctica de políticos victoriosos que compensan a sus seguidores con puestos gubernamentales (pág. 285)

Glossary–Glosario

spot advertising–summons

spot advertising the brief, frequent, positive descriptions of a candidate or a candidate's major themes broadcast on television or radio (p. 531)

***stability** remaining steady (p. 462)

standing committee a permanent committee in Congress that oversees bills that deal with certain kinds of issues (p. 142)

stare decisis (stehr•ee dih•SY•suhs) a Latin term meaning “let the decision stand”; the principle that once the Court rules on a case, its decision serves as a precedent on which to base other decisions (p. 338)

state a political community that occupies a definite territory and has an organized government with the power to make and enforce laws without approval from any higher authority (p. 5)

state central committee committee usually composed largely of representatives from the party's county organizations (p. 460)

state farm farm owned by the government and run like a factory, with farmworkers being paid wages (p. 729)

state-sponsored terrorism terrorism that is secretly supported by a government (p. 708)

states' rights position a position that favors state and local action in dealing with problems (p. 107)

statute a law written by a legislative branch (p. 417)

statutory law a law that is written down so that everyone might know and understand it (p. 417)

straight party ticket one in which a voter has selected candidates of his or her party only (p. 493)

***strategy** a plan or method for achieving a goal (p. 476)

subcommittee a group within a standing committee that specializes in a subcategory of its standing committee's responsibility (p. 142)

***submit** to present or propose for consideration (p. 256)

***subordinate** of less importance (p. 107)

subpoena a legal order that a person appear or produce requested documents (p. 168)

***subsequent** following, coming after (p. 602)

***subsidize** to assist in payment with public money (p. 678)

substantive due process certain rights of individuals in the application of laws, some that are specified in the Constitution (like free speech) and some that are not specified (like the right of privacy in making personal decisions) (p. 419)

suburb a densely settled territory adjacent to a central city (p. 671)

***sufficient** enough; satisfactory in amount (p. 313)

suffrage the right to vote (p. 482)

summons an official notice of a lawsuit that includes the date, time, and place of the initial court appearance (p. 425)

espacio publicitario descripciones breves, frecuentes, y positivas de un candidato o de sus importantes temas transmitidos por televisión o radio (pág. 531)

***estabilidad** que se mantiene constante (pág. 462)

comité permanente comité permanente en el Congreso que supervisa los proyectos de ley que tratan de cierta clase de temas (pág. 142)

stare decisis término latino que significa “que permanezca la decisión”; el principio que dice que una vez que la Corte dictamina en un caso, su decisión sirve como precedente en el cual basar otras decisiones (pág. 338)

estado comunidad política que ocupa un territorio definido y tiene un gobierno organizado con el poder de hacer leyes y hacerlas cumplir sin la aprobación de cualquier autoridad superior (pág. 5)

comité central estatal comité generalmente compuesto en gran parte de representantes de organizaciones del partido de los condados (pág. 460)

granja estatal granja propiedad del gobierno, administrada como una fábrica con granjeros asalariados (pág. 729)

terrorismo apoyado por un gobierno apoyo secreto del terrorismo por parte de un gobierno (pág. 708)

posición de derechos estatales posición que favorece acción estatal y local al tratar problemas (pág. 107)

estatuto ley escrita por una rama legislativa (pág. 417)

ley estatutaria ley escrita de una manera que todo el mundo pueda conocer y entenderla (pág. 417)

papeleta partidaria aquella en que el votante selecciona a candidatos de su partido solamente (pág. 493)

***estrategia** plan o método para lograr una meta (pág. 476)

subcomité grupo dentro de un comité permanente que se especializa en una subcategoría de la responsabilidad del comité permanente (pág. 142)

***presentar** ofrecer o proponer para ser considerado (pág. 256)

***subordinado** de menos importancia (pág. 107)

citación orden legal para que una persona comparezca o produzca documentos requeridos (pág. 168)

***subsiguiente** que sigue, que viene después (pág. 602)

***subsidiar** ayudar en el pago con dinero público (pág. 678)

proceso substantivo correspondiente ciertos derechos de individuos en la aplicación de leyes, algunos de los que son especificados en la Constitución (como la libre expresión) y otros que no son especificados, (como el derecho de privacidad al tomar decisiones personales) (pág. 419)

suburbio territorio muy poblado adjunto con una ciudad central (pág. 671)

***suficiente** bastante, cantidad satisfactoria (pág. 313)

sufragio derecho al voto (pág. 482)

citación judicial notificación oficial de una demanda que incluye la fecha, tiempo, y lugar de la aparición inicial en la corte (pág. 425)

sunset law a law that requires periodic checks of laws or of government agencies to see if they are still needed (p. 112)

sunshine law a law prohibiting public officials from holding meetings not open to the public (p. 113)

***supplement** to add to (p. 592)

supranational organization an organization whose authority overrides the sovereignty of its individual members (p. 704)

supremacy clause statement in Article VI of the Constitution establishing that the Constitution, laws passed by Congress, and treaties of the United States “shall be the supreme Law of the Land” (pp. 65, 97)

***survey** a poll; a collection of data (p. 261)

***survivor** one who remains alive (p. 379)

suspect classification classification made on the basis of race or national origin that is subject to strict judicial scrutiny (p. 399)

***suspension** a temporary removal or withholding (p. 337)

***sustain** to support, keep up (p. 698)

swing vote the deciding vote (p. 344)

***symbol** something that stands for something else (p. 387)

symbolic speech the use of actions and symbols, in addition to or instead of words, to express opinions (p. 366)

ley de puesta del sol ley que requiere inspecciones periódicas de leyes o de agencias gubernamentales para ver si todavía son necesarias (pág. 112)

ley del sol ley que prohíbe a funcionarios públicos tener reuniones no abiertas al público (pág. 113)

***complementar** añadir a algo (pág. 592)

organización supranacional organización cuya autoridad anula la soberanía de sus miembros individuales (pág. 704)

cláusula de supremacía declaración en el Artículo VI de la Constitución estableciendo que la Constitución, las leyes aprobadas por el Congreso, y los tratados de Estados Unidos “serán la Ley suprema de la Tierra” (págs. 65, 97)

***encuesta** sondeo; colección de datos (pág. 261)

***sobreviviente** alguien que sigue vivo (pág. 379)

clasificación de sospecho clasificación hecha en la base de raza u origen nacional que es sujeto al severo escrutinio judicial (pág. 399)

***suspensión** remoción o retención temporaria (pág. 337)

***sustentar** apoyar, mantener (pág. 698)

voto ganador voto decisivo (pág. 344)

***símbolo** algo que representa otra cosa (pág. 387)

expresión simbólica uso de acciones y símbolos, junto con o en lugar de palabras, para expresar opiniones (pág. 366)



***target** an object of criticism (p. 507)

tariff a tax placed on imports to increase their price in the domestic market (p. 733)

tax the money that people and businesses pay to support the activities of the government (pp. 189, 555)

taxable income the total income of an individual minus certain deductions and personal exemptions (p. 555)

***technical** highly detailed (p. 292)

***technique** method of accomplishing desired aim (p. 508)

***temporary** lasting a short amount of time (p. 143)

***tension** strain or conflict (p. 261)

terrorism the use of violence by nongovernmental groups against civilians to achieve a political goal (p. 707)

theocracy a government dominated by religion (p. 454)

***theory** speculation based on study (p. 8)

***thereby** by that means, in that way (p. 453)

third party any political party other than one of the two major parties (p. 455)

ticket a party's candidates for president and vice president (p. 466)

ticket-splitting voting for candidates from different parties for different offices (p. 488)

***blanco** objeto de la crítica (pág. 507)

tarifa impuesto sobre importaciones para aumentar su precio en el mercado doméstico (pág. 733)

impuesto dinero que la gente y los negocios pagan para apoyar las actividades del gobierno (págs. 189, 555)

ingresos imponibles total de ingresos de un individuo menos ciertas deducciones y exenciones personales (pág. 555)

***técnico** muy detallado (pág. 292)

***técnica** método para lograr el objetivo deseado (pág. 508)

***temporario** que dura muy poco tiempo (pág. 143)

***tensión** presión o conflicto (pág. 261)

terrorismo uso de violencia por parte de grupos no gubernamentales contra los ciudadanos con el propósito de alcanzar una meta política (pág. 707)

teocracia gobierno dominado por la religión (pág. 454)

***teoría** especulación basada en un estudio (pág. 8)

***así** de tal modo, de esa manera (pág. 453)

tercer partido cualquier partido político además de los dos partidos mayores (pág. 455)

candidatura candidatos para presidente y vicepresidente de un partido (pág. 466)

papeleta no partidaria votar por candidatos de diferentes partidos para cargos diferentes (pág. 488)

Glossary-Glosario

tort-unparalleled

tort a wrongful act, other than breach of contract, for which an injured party has the right to sue (p. 423)

township a unit of local government found in some states, usually a subdivision of a county (p. 664)

***trace** to discover by going backward over the evidence (p. 126)

trading bloc a group of nations that trade without barriers such as tariffs (p. 734)

***traditional** time-honored or established (p. 491)

traditional economy economic system in which customs dictate the rules for economic activity (p. 717)

***transform** to change completely or radically (p. 701)

***transition** change (p. 689)

***transmission** broadcasting, as by television or radio (p. 374)

***transportation** public conveyance of passengers or goods (p. 174)

treaty a formal agreement between the governments of two or more countries (pp. 79, 257, 615)

***trend** a prevailing tendency (p. 578)

trust a form of business consolidation in which several corporations combine their stock and allow a board of trustees to operate as a giant enterprise (p. 578)

agravio acto injusto, aparte del incumplimiento de contrato, por el cual el partido ofendido tiene derecho de demandar (pág. 423)

municipio unidad de gobierno local encontrada en algunos estados, generalmente una subdivisión de un condado (pág. 664)

***localizar** descubrir revisando de nuevo la evidencia (pág. 126)

bloque comerciante grupo de naciones que comercian sin barreras tales como tarifas (pág. 734)

***tradicional** que honra el tiempo o que está establecido (pág. 491)

economía tradicional sistema económico en el cual el hábito y la costumbre dictan las normas para toda actividad económica (pág. 717)

***transformar** cambiar por completo o radicalmente (pág. 701)

***transición** cambio (pág. 689)

***emisión** transmitir por radio o televisión (pág. 374)

***transportación** transporte público de pasajeros o mercancía (pág. 174)

tratado acuerdo formal entre los gobiernos de dos o más países (págs. 79, 257, 615)

***tendencia** una inclinación predominante (pág. 578)

fundación forma de consolidación de negocios en la cual varias sociedades anónimas unen sus acciones y permiten que una mesa directiva las dirija como una sola empresa gigante (pág. 578)

U

***unaffected** not influenced or changed (p. 197)

***unconstitutional** not consistent with a nation's constitution; against highest law (p. 321)

uncontrollable government expenditure required by law or resulting from previous budgetary commitments (p. 561)

undocumented alien one who entered the country illegally, or one whose permit for residency has expired (p. 391)

***undertake** to agree to do or attempt (p. 598)

unemployment compensation payments by a state to workers who lose their jobs (p. 649)

unemployment insurance programs in which the federal and state governments cooperate to provide help for people who are out of work (p. 591)

unfunded mandates programs ordered but not paid for by federal legislation (p. 588)

unicameral a single-chamber legislature (p. 48)

***unify** to form into one (p. 705)

unitary system a government that gives all key powers to the national or central government (p. 12)

universe in polling, the group of people who are to be studied (p. 520)

***unparalleled** having no equal or match; unique in kind or quality (p. 730)

***inalterado** que no ha sido influenciado o cambiado (pág. 197)

***inconstitucional** que no es consistente con la constitución de un país; en contra de las leyes supremas (pág. 321)

incontrolable gasto gubernamental requerido por ley o como resultado de previos compromisos presupuestarios (pág. 561)

extranjero indocumentado alguien que entró ilegalmente al país, o uno cuyo permiso de residencia ha expirado (pág. 391)

***emprender** llegar a un acuerdo para hacer o intentar (pág. 598)

compensación de desempleo pagos por parte de un estado a los trabajadores que pierden su trabajo (pág. 649)

seguro de desempleo programas en los cuales el gobierno federal y estatal cooperan para proporcionar ayuda a personas que no tienen empleo (pág. 591)

mandatos sin fondos programas requeridos pero sin pagar por la legislación federal (pág. 588)

unicameral legislatura de una cámara (pág. 48)

***unificar** formarse en uno (pág. 705)

sistema unitario gobierno que da todos los poderes claves al gobierno nacional o central (pág. 12)

universo en votación, el grupo de gente que será estudiada (pág. 520)

***incomparable** que no tiene igual o par; único en calidad o en su clase (pág. 730)

urban renewal–zoning

urban renewal programs under which cities apply for federal aid to clear slum areas and rebuild (pp. 600, 678)

***utility** a service such as gas, water, etc. (p. 638)

renovación urbana programas bajo los cuales las ciudades pueden solicitar asistencia federal para limpiar áreas deterioradas y reconstruirlas (págs. 600, 678)

***servicios esenciales** públicos servicios tales como gas, agua, etc. (pág. 638)

V

***variation** difference, change (p. 521)

***vary** to differ (p. 464)

verdict decision (p. 433)

veto rejection of a bill (pp. 66, 187)

***via** by way of (p. 539)

victim compensation a program in many states whereby the state government provides financial aid to victims of certain crimes (p. 651)

***violate** to disregard, disrespect (p. 321)

visa a special document, required by certain countries, issued by the government of the country that a person wishes to enter (p. 623)

voir dire a preliminary examination to determine the competency of a witness or juror (p. 420)

***variación** diferencia, cambio (pág. 521)

***variar** cambiar (pág. 464)

veredicto decisión (pág. 433)

veto rechazo de un proyecto de ley (págs. 66, 187)

***vía** por medio de (pág. 539)

compensación de víctima programa en varios estados a través del cual el gobierno proporciona ayuda financiera a las víctimas de ciertos crímenes (pág. 651)

***violar** hacer caso omiso, falta de respeto (pág. 321)

visa documento especial, requerido por ciertos países, emitido por el gobierno del país al que la persona desea entrar (pág. 623)

voir dire preliminar para determinar la capacidad de un testigo o jurado (pág. 420)

W

ward a large district comprising several adjoining precincts (p. 459)

welfare state a nation that has an economic system, such as socialism, that provides many welfare programs (p. 724)

whip an assistant to the party floor leader in the legislature (p. 135)

***widespread** covering many areas (p. 689)

withholding the money an employer holds back from workers' wages as payment of anticipated income tax (p. 556)

workers' compensation payments by a state to people who are unable to work as a result of job-related injury or ill health (p. 649)

writ of certiorari (suh•r•shee•uh•RAR•ee) an order from the Supreme Court to a lower court to send up the records on a case for review (p. 332)

distrito gran distrito que consta de varios recintos adjuntos (pág. 459)

estado benefactor nación que tiene un sistema económico, tal como el socialismo, que proporciona varios programas de bienestar social (pág. 724)

caudillo de partido asistente al jefe de partido en la legislatura (pág. 135)

***extenso** que cubre muchas áreas (pág. 689)

impuesto retenido dinero que un empleador retiene del salario de los trabajadores para pagar los impuestos anticipados (pág. 556)

compensación del trabajador pagos por parte del estado que reciben las personas imposibilitadas para trabajar como resultado de una herida o mala salud relacionada con el trabajo (pág. 649)

orden de certiorari orden de la Suprema Corte a una corte menor para mandar los registros de un caso para su revisión (pág. 332)

Z

zoning the means a local government uses to regulate the way land and buildings may be used in order to shape community development (p. 669)

restricciones de edificación medios que un gobierno local utiliza para regular la manera en que la tierra y los edificios pueden ser utilizados para dar forma al desarrollo de una comunidad (pág. 669)

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m = map, *c* = chart or graph,

p = photograph or picture,

ctn = cartoon, *ptg* = painting, *q* = quote



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